

SUFFOLK COUNTY LEGISLATURE

SPECIAL MEETING

**FIFTHTEENTH DAY
NOVEMBER 8, 2006**

**MEETING HELD AT THE WILLIAM H. ROGERS LEGISLATURE BUILDING
IN THE ROSE Y. CARACAPPA LEGISLATIVE AUDITORIUM
725 VETERANS MEMORIAL HIGHWAY, HAUPPAUGE, NEW YORK**

MINUTES TAKEN BY

ALISON MAHONEY AND LUCIA BRAATEN, COURT STENOGRAPHERS

[COURT STENOGRAPHER • ALISON MAHONEY]

(*The meeting was called to order at 10:04 AM*)

P.O. LINDSAY:

Okay, Madam Clerk, could you call the roll, please?

MS. ORTIZ:

Sure.

(*Roll Called by Ms. Ortiz • Chief Deputy Clerk*)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

(Not present).

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Present.

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

(Not present).

LEG. NOWICK:

Here.

LEG. HORSLEY:

Here.

LEG. MYSTAL:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. COOPER:

Here.

D.P.O. VILORIA • FISHER:

Here.

P.O. LINDSAY:

Yep.

MS. ORTIZ:

16 (Not Present: Legislators Caracappa & Kennedy).

P.O. LINDSAY:

Okay, thank you. Could everyone rise for a salute to the flag led by Legislator Browning?

Salutation

If everyone could remain standing for a moment of silence for Charles Novo, the 1st President of the Suffolk County Association of Municipal Employees, who passed away on Friday at the age of 77, and for our servicemen who lost their lives fighting for this country since we last met.

Moment of silence observed

(* Legislator Caracappa entered the meeting at 10:06 AM*)

P.O. LINDSAY:

Good morning, everyone. Either Mr. Clerk or Madam Clerk, would one of you read the Special Meeting Notice?

MS. ORTIZ:

Yes. "Please be advised that a Special Meeting of the Suffolk County Legislature will be held on Wednesday, November 8th, 2006, at 10 AM in the Rose Y. Caracappa Legislative Auditorium located at the William H. Rogers Legislature Building, Building No. 20, 725 Veterans Memorial Highway, Hauppauge, New York, pursuant to Section 26•B of the Suffolk County

Administrative Code for the following purpose; one hour public portion; two, to consider and vote on override of Resolution No. 1026•2006, a Local Law strengthening smoking prohibitions at Suffolk County Facilities" ••

MR. LAUBE:

You don't have to read them all.

MS. ORTIZ:

I don't have to read them all. Thank you.

P.O. LINDSAY:

Okay, thank you. We'll go right into the public portion. The first card is Tom Muratore.

MR. MURATORE:

Mr. Lindsay, members of the Legislative body, my name is Tom Muratore, I'm the Vice•President of the Suffolk County PBA.

I'm here today to again appeal to this body to consider hiring more police officers. I've been before Public Safety, along with my brothers from the Detectives and the Superior Officers. I know the Legislators have been getting information and statistical data from the Commissioner about the police business, but what I find hard to understand with the way he does his numbers, he only uses addition, there's no subtraction.

I know some of the Legislators received a letter or some correspondence from the Commissioner where he alleges that in December of 2005 and January, 2006, PO recruits were redeployed from academy training to patrolling shopping centers in downtown business areas for a total of 1,455 tour duties. He alleges that that equals six police officers, so that means that those six police officers in those two weeks would have to have worked in 242 days each; it doesn't equate.

(*Legislator Kennedy entered the meeting at 10:09 AM*)

He provides a whole bunch of data as far as how he is, through redeployment, civilianization, increasing manpower in the street. If that's happening, then why are people being shot in the streets and in their homes? Why are arrests up if it's alleged that crime is down; do we have more people committing one crime? I mean, if we look at numbers that we

can find, we see that criminal mischief is up, motor vehicle accidents with injuries are up, grand larceny is up, leaving the scene of an accident with property damage is up, identity theft is up; I mean, there's a whole •• death investigations, homicides are probably going to be at an all•time high in Suffolk County.

And basically, as a union official, you know, it's my •• it's really my task to protect my members, not to come before this body and argue, "Hire more people." I mean, if you got a copy of my presentation from Public Safety, you saw I kind of put the blame on this body to make sure that, you know, in the times that we're living in now, with terrorism being the way it is and public safety at all times being very, very necessary, that you want to cut police, you don't want to hire, you want to give us maybe 75.

And you know, this goes on the record. And I can tell you right now they're alleging that we're going to get 35 in March? That's not going to happen. And we're going to get 40 in September; that may happen. But first of all, because of the Commissioner's innovative ideas, he's depleted Applicant Investigation from 14 to seven; there's no way they can go through hundreds of people to interview, to continue to get the quality of men and women that we get on this job. We even have problems now doing background checks on civilians. There are people in Headquarters right now who the department knows nothing about who can't even give out traffic reports because they haven't been completely investigated, yet they're in sensitive positions inside the building.

So my plea is to find a way to work together, both Democrats and Republicans, and show the County Executive and the Police Commissioner that in the police business, we need more employees to do the job and protect your constituents. It's your •• ultimately it's your responsibility. I've been here •• I've been coming to this half•circle for 18 years and I've been •• you know, we've had our other issues, but it's basically manpower and it's kind of odd that the Commissioner is not here.

LEG. ALDEN:

He is.

P.O. LINDSAY:

He is, he just walked in behind you.

MR. MURATORE:

Oh, he is here. I meant he wasn't here arguing for more cops, the union has to come. And like I said, I know it's expensive, but what price do you put on a life? What's it going to cost, what's it going to take? I mean, you know, they say figures lie and liars figure. So we can go through all the data we want and we can say in the business we don't need this many, but it's going to come to pass that there's going to be major problems, we saw it back in the late 80's, early 90's. It's true that the County Exec did put 220 on, but nobody factors in retirements, long-term disabilities, you know, there's all kinds of numbers there. We're hiring civilians, are we increasing the cost of the department? No, we're not hiring people. It's so very important. And today is the day after Election Day, it's a whole new feel out there. So hopefully this organization can see through the smoke and through the mirrors and pay attention to maybe give some serious thought to hiring some more police officers. Thank you very much.

P.O. LINDSAY:

You're welcome. Thank you. Dr. Joseph Harder.

DR. HARDER:

I'm speaking as Chair •• Co-Chair of the Liaison Committee that negotiates here and with the County Exec for the health centers. We have here, of course, one of the founders of this system of health centers, former Legislator John Foley who will be speaking, and we have others.

I want to address, first of all, the fact that many pioneers built this system of health centers and I please plead with you, by increasing the funding beyond present proposed levels to avoid hobbling this system, crippling it. There has been always support by the Legislature for the health centers and we are grateful and ask you once again to rescue us from an under estimate of our needs that is in the County Executive's budget.

We want to commend the excellent work by the Budget Review Office which I have been through and looked at in terms of the impact that the present proposed funding would have on the operation of the health centers. Basically it would make impossible our mission of making good health care accessible to all if there is no restoration of funds. Statistics specifically are not too interesting, but I can say that with the health centers, all of them have registered impact statements which has been available to the Budget Review Office, and I suppose to all, that the ranges of deficits in just

maintaining the level of care we now have offered without any expansion ranges anywhere from 658,000 for South Brookhaven East and West to 875 for Brentwood and a deficit that has been described as disastrous and three steps back for Martin Luther King and also 600,000 short for Coram and vastly deficient for meeting the needs of Riverhead and its two satellites in Southampton and East Hampton.

With that said, I will leave that for others to address more in detail. But I will speak more now for the South Brookhaven Health Centers which I was personally associated with as Medical Director for 13 years after a 23 year career in private practice. And I will say that besides this deficit of 658,000, it's actually, what has been suggested by the County Exec is \$24,000 less than what we operated on last year. This is in the face of cost increases and operating the center and supplies and contractual obligations that amount to about a 4% increased need in funding every year, and this year we already have a 6.6% increase in patient flow ••

P.O. LINDSAY:

Could you wrap up, Dr. Harder, please?

DR. HARDER:

Yes. So in consequences, there will be a serious effect on our staff, the flow of patients, the hours offered and the ability for getting preventive care to patients and for follow•up on hospital patients when they are released from the hospital.

And in basic short summary, more with less has limits before it becomes just pretense and hypocrisy for providing health care and not actually doing it. Compassion demands government provide care for the less fortunate and affluent among us and not to build reserve funds on the backs of the poor and the neediest among us. And so I urge you very, very definitely to support the restoration of funds to the health centers and on behalf of my own health center, South Brookhaven East and West to consider restoration. Thank you.

P.O. LINDSAY:

Thank you. Phyllis Potts.

MS. POTTS:

Good morning. I'm a patient at the Marilyn Shellabarger Health Center and I

have been on the Advisory Board for eight years or so, a patient perhaps 15 years. It's an excellent place to be treated, they are very thorough, there are all types of people, but on my last visit to my doctor she was saying that new patients have to wait six weeks before they can see a doctor; in the meantime, there may be some tragedy. She brought to my attention the fact that quite often it's so much more cost effective to have the people treated there preventing problems than they should have to go to the emergency room and •• it's so important that the money be adequate, because I know one of the doctors has left recently and they had to double up on the doctors. That morning, one doctor had car trouble, didn't get in on time, it was a tremendous wait, and these are people's lives, so please, please. You know, it's money that is the health of human beings, their lives sometimes. Thank you.

P.O. LINDSAY:

Thank you, Ms. Potts. Former Legislator, the Honorable John Foley.

HONORABLE JOHN FOLEY:

Good morning. Mr. Chairman and members of the County Legislature, I will make certain the comments and do them as rapidly as possible, but I would also like to point out that we have, in fact, here a copy of the Budget Review analysis which is a great document in itself, and we certainly recommend and realize that you people have given it a very thorough•going perusal. So I will make certain comments somewhat in a broad perspective.

Obviously I'm interested in the health centers and the restoration of funds, but in that particular document it raises questions also which I do not know whether you have addressed in your tweaking resolution, namely the question of an operation that takes care of people who have, let's say, the need of replacing the use of heroine with a center of their own, and the document itself does not include any reference to for the need to restore that kind of service. Nor does it say anything at all about the east end and the restoration of services, or at least the creation of services for the east end, particularly through the health centers possibly, but also particularly through those Public Health Nurses. And there is no talk at all in there that I know of about developing a pattern or a program of a career ladder which would attract people to the nursing career and to the services on the east end. And the east end Legislators have a right to be concerned about the absence of that particular kind of service in their east end communities.

So there are many aspects to this budget that go beyond the question of

tweaking. Just let me mention, for example, that there is an old adage or axiom in the law business, namely saying that justice delayed is justice denied, and the same thing could be said about health matters. Tell somebody who is •• a woman who is waiting for a mammogram, tell a man who is waiting for a check•up on his lung cancer, tell young people or adult people who are waiting to receive information about the question of the Diabetes and that insidious disease, and tell others, for example, about other forms of disease so that they will know that health care denied is health care delayed or the converse.

So there are many aspects to this, not just the mere tweaking. And when the County Executive talks about there are always lines or there are always people or show me someone who is being damaged or hurt, it's right there in front. But there are none so blind as those who will not see and do not desire to see.

So having said that, I know I'm running close to my time, Mr. Presiding Officer, and I do not wish to incur your disfavor or wrath.

P.O. LINDSAY:

You would never incur my wrath or displeasure.

HONORABLE JOHN FOLEY:

I said that somewhat facetiously. That's why I have my {shalally} here with me.

P.O. LINDSAY:

There you go.

HONORABLE JOHN FOLEY:

But having said that, God bless you. And thank you for all the cooperation, you send me documents, for example, in relation to the, minutes of the Community college which I read avidly every time I receive them, so you can keep up with that particular set•up. So take a good hard look at this particular question of tweaking and see what is being missed in this particular time and place and for the coming year. Thank you and God bless.

P.O. LINDSAY:

Thank you, Legislator Foley, for your comments. Denis Yuen.

MR. YUEN:

Good morning, Presiding Officer Lindsay and other Legislators.

I stand before you as the Maureen's Haven Coordinator under the ••

I'm sorry, under the Peconic Community Council's program. I would like to reiterate some of the points that I sent in a letter to Legislator Romaine and all the Legislators and County Executive Levy, and also update you on some of the figures one week into our program's season.

"Legislator Romaine, thank you for acknowledging the great work which the Maureen's Haven Program provides its citizens of Suffolk County and the potential expense our services save the County's Department of Social Services. Your motion to amend the County proposed funding through Budget Amendments No. 30 and 31 to the Peconic Community Council for 2007 would bring our funding back to the 2005 level of \$67,739."

"As we previously stated to County Executive Levy, over the past three years our funding under Suffolk County has been drastically cut, yet our services and expenses to the County's homeless population has doubled. During the 2005•2006 winter season, the Maureen's Haven Program housed 122 unduplicated individuals over 158 nights it operated; this equals a total of 3,369 bed nights and provided an increase of 34% over the prior year. If you calculate those figures over last winter season, that's an average of 21 guests per night."

Just to bring you up•to•date, I am one week into my season, seven days later, and I'm at the average night of 15 guests per night with a high of 21 last night, and it's not even cold yet; it might be a little wet, but it's not even cold yet. So we're way above our projection, unfortunately.

"Maureen's Haven provides a safe, warm, temporary housing to those who are homeless in eastern Suffolk, both on the north fork and south fork from November through April. Transportation to and from the many houses of worship is contracted through the Suffolk County Veterans Transportation Service. Volunteers provide dinner, breakfast, a bag lunch and encouraging support. This community•based program is crucial since the majority of the shelters are located in western Suffolk."

"Our projected direct cost of operating Maureen's Haven Program for the 2006•2007 winter season, based on no growth in the homeless population needs, is \$90,947. This projection does not reflect the cost incurred and

donated by the participating houses of worship and the organizations who contribute on a nightly basis. Funding is necessary to continue the operating of this essential program."

"Our conservative estimate is that Maureen's Haven saves Suffolk County over \$350,000 per year, and that's conservative; as the program's inception to date is well over \$1 million. As a result, we are asking the County at a minimum to restore the 2007 contract to the 2005 actual dollar amount of \$67,739. Thank you very much for your time."

P.O. LINDSAY:

Thank you, Dennis. Steven Laskoe.

MR. LASKOE:

Thank you for this opportunity to speak with you. I'm the Director of Colonial Youth & Family Services, but today I'm here representing the South Brookhaven Health Advisory Council in support of the funding restoration for the health centers.

I had the chance to speak before the Health Committee which I thought was a very interesting experience, not the speaking but actually the listening to the discussion that took place between members of this body and the Department of Health. It was, I don't want to use a pejorative term, but it was not something that I was happy to hear in that they did not seem to be able to figure out how, within a \$421 million budget, to establish the adequate funding for these very necessary services. That's where I think we need to take a look.

Where the money comes from is in efficiencies of service, obviously. I made the statement at the time that in our world we're going to pay for what we do and we're going to pay for what we don't do, and right now we're seeing the consequences of what we're not doing in support of those most needy in our society.

To put a few numbers in front of you that maybe you have not heard, in the catchment area in which the South Brookhaven Health Centers reside, the numbers of families, the percentage of families who are living at or below the poverty level is 27%; that is well in excess of what the County's standard is and what the Town of Brookhaven in total and the United States and New York State. So we're dealing with a very unique and painful situation to

many people in this day and age.

To put some more numbers in front of you right now, you heard about the increase in utilization of services. Are you aware that in 1960 •• excuse me, in 2004, 61,000 visits were obtained within the health centers just in the South Brookhaven area; 63,000 in 2005 and they're anticipating 70,000 in 2006. These are increases that are currently not being adequately funded and to reduce funding at the time with the increase in services seems to make absolutely no sense whatsoever.

So I represent the community here and I represent a body of consumers who really do make use of these two health centers and would value the restoration of the funds and certainly would be not served well by continuing in the path of decreasing funds for these services.
Thank you.

P.O. LINDSAY:

Thank you, Mr. Laskoe. Mary Theresa Kaniecki?

MS. KANIECKI:

I also represent the Suffolk County Health System at the Marilyn Shellabarger Clinic. It's fine to talk about percentages, but they're very deceptive. In the last four years, we have been under•funded, not even barely keeping up with current expenses, four years in a row; it's going to happen again this year. We've lost staff, we have lost clinic time, one and one•half days are already gone. Where are people going to go?

Many people in my community do not have cars. The bus system is anything but adequate. Our clinic services people all in one place, they don't have to run to Stony Brook, they don't have to run to the emergency clinic because we have blood services, we have x•rays, we have prenatal care, we have nutrition. The name of the game in health is prevention. I don't know if some of you even know what the meaning of the word is. How can you prevent when you cut, cut, cut?

There are two people here today that I recognize; Browning and Romaine. The rest of you I know by name, Eddington, a couple of you fellas. The people are going to know by name from now on who is doing the cutting. Where is Steven Levy? I'm a Democrat, I'm ashamed. Where is he? Do you know •• I don't know if you saw the same program that I did the other night. I turned C•Span on and there was Steven Levy in San Antonio,

Texas, on TV; he wasn't here in Suffolk County today. I would like to know how much money that could be given to the health centers or to schools or to the police. This is my representative now. Steven Levy spent God only knows how much going to San Antonio, putting his mug on TV. What cares what he does in San Antonio? I may be the only person in Suffolk County that saw him down there. I was shocked. I'd love to know how much he spent and I'd love to know why he took that kind of money out of the health system.

Dr. Harder talked about tweaking; I'd like to use the other name, turning point. Is this a turning point for the health system in Suffolk County? We have some angels here. Without John Foley, we wouldn't even have a health system in Suffolk County, and God knows this is a place where it's very badly needed. I'm disgusted with what's happening. How many more days are we going to be forced to close down? And we're going to know you by name. I'm going to make it my responsibility that everybody knows you by name when you say no. I know I sound fresh, I'm disgusted.

P.O. LINDSAY:

Ms. Kaniecki, you're out of time.

MS. KANIECKI:

Did you say that to the policeman who was here?

P.O. LINDSAY:

Yes, I did.

MS. KANIECKI:

Oh, sorry.

P.O. LINDSAY:

Yes, I did.

MS. KANIECKI:

I don't like out of time when something so serious is happening. Thank you.

P.O. LINDSAY:

You're welcome. Paul Sabatino.

CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:

Thank you, Mr. Chairman. The County Executive is disappointed that the opportunity to review this legislation wasn't afforded to all members of the public, the Legislature and the County Executive's Office. We looked at it for the first time this morning and at a glance it would appear, it would appear that the contours of the important Levy principals dealing with this budget were adhered to in terms of the reserve funds being protected and preserved against any potential downgrading of our bond rating. It would appear that we tried to work within the overall proposal for a tax cut in the General Fund and a very modest increase in the Police District. But the concern is that looking at some of the items that jump off the page, we believe that a 24 •hour recess of the portion of the agenda dealing with the Operating Budget till tomorrow would afford all of us the opportunity to sit down and try to reconcile some of those issues.

We could still address the balance of today's agenda but, you know, one of the things that we've provided ourselves in Suffolk County over the years, I believe, is that we don't do budgets the way they do them in Albany and we've had an open process where everybody knows at the moment of the vote exactly what the totality of the consequences are. Just by way of example, I mean, I just picked this up in looking at the document five minutes this morning but, for example, this is going to be a 14 vote resolution now. You're going to be increasing the Discretionary Tax Levy by \$25 million, okay, that's going to be a \$25 million increase in the Discretionary Tax Levy. Now, maybe there's a reason or a rationale to make all of that balance out, but I think you would want to know exactly what those consequences are before that vote takes place.

There's a whole series of issues that deal with the organic structure of County government. So for example, I know some of the notions that are set forth in the RESOLVED clauses talk about transferring Insurance & Risk Management to the Department of Audit & Control. It takes a Charter Law to do that, okay, you can't do it with a RESOLVED clause in the resolution.

There's an issue here about execution and signing of contracts; I've been down that path. If you want to go down that path, you've got to change the organic structure of County Government. In fact, Rose Caracappa asked me to do that one year, it took a week to draft all of the Charter Laws that you need to change the organic structure of government that allows for the execution of contracts to occur in a different fashion and manner. And again,

they may be a policy decision or a policy path that you want to pursue, but you can't do it through a RESOLVED clause.

There's something dealing there with trying to change the 477 Program. Again, 477 is a Charter Law, it was done by referendum, it would take a referendum to change that referendum. So again, an issue you threw out there.

Funding appears to have been taken away for the payment of the Deputy Sheriff's arbitration award; that could potentially be a problem because it's an arbitration award, plus a negotiated settled agreement and you could have a problem with that because, again, it appears that the funding was taken out.

The health center issue, you know, again we were negotiating with the health centers; now the ability to negotiate has been taken away because the numbers have been distributed with respect to the allocations in the resolution.

And then in closing, I think perhaps even more significant than the other items I've outlined, is a portion of the bill basically dealing with the Police Department will represent or constitute reverse civilianization. The additional 25 Police Officers that are being proposed above and beyond what Commissioner Dormer has recommended, and he'll be testifying in a moment, on the face of it I know the theory is that 25 new Police Officers are less costly than the 25 Police Officers that are going out the door. And with a static analysis, that portion of the analysis is correct, but what it leaves out is that 25 additional Police Officers, that the expert manager of the Police Department is not requesting, are more costly than civilianization. So what you've done is you reversed the great strides that we've made in terms of freeing up a net of over 140 Police Officers patrolling by virtue of the smart management and civilianization initiatives that the Police Commissioner has accomplished, and you're going to say that even though he doesn't need the additional 25, has not requested the additional 25 Police Officers ••

P.O. LINDSAY:

Could you wrap up, Mr. Sabatino?

CHIEF DEPUTY COUNTY EXECUTIVE SABATINO:

- you're now going to substitute those.

And then in closing, Commissioner Dormer will wrap up that particular piece, but we would once again ask for a recess of that portion of the meeting for 24•hours.

P.O. LINDSAY:

Thank you. Ben Zwirn?

MR. ZWIRN:

Good morning, Mr. Presiding Officer and members of the Legislature. The County Executive asked me to come down today and express his extreme disappointment on the process that we have here.

We received Budget Review's Omnibus numbers this morning, I came in yesterday and was trying to get into the building to see if we could get them yesterday, the Chief Deputy was here later in the afternoon, we waited around on Monday evening to see if we could get these. In the document it says, "It is the intent of the County of Suffolk to adopt a fiscally sound Operating Budget for 2007 which promotes transparency in government." Well, next year we can get the Omnibus after the vote altogether, and I don't know how that adds transparency in government.

We're supposed to have the opportunity to look at this. The County Budget Office, the County Executive's Budget Office in reviewing these numbers now, the Chief Deputy has indicated some of the problems that are inherent in these bills because they didn't see the light of day, and it's just the foundation of what we'd want to have out here in Suffolk County. What kind of open government do we want? Do we want a government where we don't have to have these document in advance? A waiver was issued. We have asked for a 24•hour window, an opportunity just to be able to review these numbers and to comment on them. You took away money from Sheriff's Office, I don't know if Sheriff DeMarco was notified, he's not here today so presumably he doesn't even know about this, something he might have known if he had had the opportunity to see this document in advance like the rest of us.

It just goes against everything that I've seen going on here at the Legislature in my short, you know, three years here, is that we have strived, even if we disagree, we strive to go through an open process where everybody can be

heard. And this clearly •• if I can call back, these are the kind of things we had in Nassau County and led to its demise. County Executive Gullotta used to hand out the budget way late, after the statutory deadline so we had trouble reviewing it. This is a case where we just asked for 24•hours to be able to review the Omnibus documents and the stand•alones, the 50 stand•alones. Again, we got them all this morning and I'd like to be able to have the opportunity, the County Executive's Budget Office have the opportunity to review them. Thank you.

P.O. LINDSAY:

Thank you. William Von Novak?

MR. VON NOVAK:

Good morning. I don't intend to take much time, I just want to place this discussion on health care center needs in a very precise manner.

First of all, I represent actually Bay Shore and Bright •• Bay Shore and Brentwood, but as members of the Legislature know, the Bay Shore Family Health Center is no longer, it's combined into the Islip Town Center. And the need to rebuild Bay Shore is a subject that the Legislature has been dealing with for some time, hopefully one day it will come back adequately funded.

But Ladies and Gentlemen, this morning you're listening to the people from the family health centers plead for restoration of some of their projected funds. Bay Shore, Brightwaters, in microcosm, represents the same efforts of the 12 family health centers to maintain their level of effectiveness. In 2003, the Islip centers were increased in their budget by 2%, at the same time we got an increase of service needs of 5%; in 2004, we received a point four increase over the previous budget with an increase of service needs of 7%; in 2005, we had a 1% increase with an increase in service needs of 3%; in 2006 we had a cut in our budget of 1.5% with an increase of 6% in service needs; and in 2007, our projected increase versus the projected budget from the County Legislature's office was lowered by 2.03%, that's going backwards.

And that's what's happening with these health centers. They're trying to maintain services, but as increased demand and increased need occurs, the budgets and the services actually slide backwards.

We're talking about patching, we're talking about closing •• losing hours and closing the family health centers, reducing their availability. We're talking

about cutting projects, we talk about leaving vacancies unfilled, and of course we're also talking about a loss of follow-up care and loss of health.

As a former teacher, I'm struck by coming before the Legislature with John Marshall's words in my mind. If you recall your history, he was arguing a case where the State of Virginia •• State of Maryland was trying to tax the Bank of the United States, and in that decision, {Marvi} v. Madison, he made the quintessential statement about the function of government and its ability and responsibility to protect itself and he said, "The power to create is the power to protect."

And I can't help but think coming here before the Legislature, recognizing the fact that you created the family health centers and you have the power and the responsibility to protect it. I suppose if you withdrew that protection the health care systems would collapse, but you also have a responsibility to maintain and to protect that service that you extended to your neighbors and to your community friends to provide the health care service in Suffolk County as you designed it originally. Thank you.

P.O. LINDSAY:

Roberta, it looks like Owens.

MS. OWENS:

Good morning, everyone. As you know, my mother Elsie Owens, the health center that is named after her •• and Joe, again, thank you for all the hard work that you did with that. But I'm here representing the Elsie Owens North Brookhaven Health Center in Coram. Gosh, I can't tell you how many times my mother stood before this Legislature asking for funding and the correct funding for the health centers, and it seems like another generation steps on that line again; I chair our advisory board.

What I'm here to ask you to do, as all the health center representatives have asked, is that we make sure we have funding for people's health. We have so many people in Suffolk County that can't afford the luxury of having health care for themselves, and yet it seems that we debate over whether we can give the necessary funding to the health centers. And the truth of the matter is it should never have been a question, it should never be a doubt, it should always be given.

Without humanity, none of us can move forward. Without great health we are all in jeopardy of losing our own precious lives. So I'm asking here today

that the funding that's needed for all of the health centers, and in particular the one named after my mother, be restored, be not an issue that we consistently battle about, because after all each one of us knows that without health we wouldn't be sitting here. So I'm hoping that, as with the other speakers have spoken, that you will find it within all means to make the appropriate and necessary adjustments and corrections so that the funding can be restored to the health centers and those people who work there every day can provide the services for people who need health care. Thank you.

P.O. LINDSAY:

Thank you, Ms. Owens. Sonia Wagner.

MS. WAGNER:

Good morning. I'm Sonia Wagner, Executive Director of Response of Suffolk County. And as I'm sure everyone here knows, we've said hello to tens of thousands of people on our crisis hotline over 35 years. We say hello to the new mother who's feeling overwhelmed, the widow who's making his first supper alone, the teen struggling silently with sexual orientation questions; we're there for your neighbor, your friend, perhaps yourself. And we are a bridge for many people struggling to wait for counseling services that are sadly often not available.

I came to everyone's office, everyone in the Legislature saw me, spoke with me this summer, by phone, one way or the other about a new way of saying hello which we're hoping to bring into 2007, and that is an on•line crisis counseling service where we offer the same compassion, referrals and confidential support on•line through our website that we do on the hotline, and it's called "Here to Help". We've secured seed money, as you know, we started it this year; my hope is to continue this into 2007.

The reason that we are targeting young people and young adults specifically is because some of the studies have shown that roughly one in five college students within one year of their college experience become so depressed that they aren't able to function, as they report it, and one in twelve will develop a suicide plan of some kind. In your typical high school class, roughly three students have made a suicide attempt. So the numbers are quite staggering and we feel that the on•line program is that much more accessible to young people.

So when I came to your offices, I found warm support, people were

receptive. I'm hoping to find Omnibus money for us; I was asking for 45,000. I don't know what the numbers show, but if you were able to find that support for us, I'm here to thank you. And a quick PS; when Omnibus money comes to an agency, we often don't know who sponsored that money. So if it was you who was able to give us some funds, please tell us, I like to thank people personally and I often don't know where all of those gifts are coming from. So I guess I'll thank you in advance, I hope to see something waiting for us. Thank you for your support up till now.

P.O. LINDSAY:

Thank you, Ms. Wagner. Mr. Romeric, Rameric? I'm trying to make out the name.

MR. ROMERIL:

I think that's probably me, my name gets butchered frequently. I'm here representing the Citizens Advisory Committee for the East End Health Centers. We feel that we have,

MS. MAHONEY:

Can you speak into the microphone, please?

MR. ROMERIL:

Sorry; is that better?

P.O. LINDSAY:

That's fine.

D.P.O. VILORIA•FISHER:

Can you say your name for the record, please?

MR. ROMERIL:

Pardon?

D.P.O. VILORIA•FISHER:

Can you say your name for the record?

MR. ROMERIL:

R•O•M•E•R•I•L.

D.P.O. VILORIA•FISHER:

L, oh, okay.

MR. ROMERIL:

Yeah; it looks like a C but it isn't. But at any rate, I'm here to speak for the east end health centers. To echo what has been said before, we really need money to be restored to the budget for the health centers all over the County and we feel particularly in need at the East End Health Centers where we have three health centers, two of them have inadequate space and all of them having inadequate personnel numbers. And unfortunately, when we have a vacancy it takes •• it seems like forever to get permission to get it filled. So we'd like to have money to restore to the budget.

The last time I talked to you we didn't have •• you didn't have a budget and so I was complaining about what I thought was a lack of responsibility by the County Health Commissioner and the County Supervisor in not providing you with numbers and an adequate budget to tell you what •• at least to show you what we need to get the job done. Because those numbers were furnished to them by the individual health centers, but somehow they didn't get translated and transmitted to the County Legislature. Anyway, we will appreciate your consideration for restoring the necessary funds to the health centers. Thank you.

P.O. LINDSAY:

Thank you very much, Mr. Romeril. I have just been reminded, somehow I skipped Commissioner Dormer, he had a card in the pile that I didn't pick up. Commissioner Dormer?

COMMISSIONER DORMER:

Thank you.

P.O. LINDSAY:

I apologize for that.

COMMISSIONER DORMER:

No, that's okay. Thank you. I had no problem waiting.

P.O. LINDSAY:

I was going to ask if anybody else wanted to speak anyway, but you did have a card and I inadvertently passed over you; I'm sorry about that.

COMMISSIONER DORMER:

No apology required, Mr. Presiding Officer. I was fine, I could get my thoughts together. I will be very brief.

As probably everybody in this room knows, one of the •• one of our mandates when we came on board in 2004 was civilianizing the Police Department and redeploy officers from behind desks and put them on the street, serving the public, doing the job that they were hired to do. Now, I don't want to say that these officers were not doing important work and that they weren't good officers and good employees, I certainly don't want to imply that. I do want to state that we've been very successful in that endeavor and I want to give you some numbers; and by the way, they're not smoke and mirrors, they're real numbers.

Today we have 67 more officers, these are bodies, warm bodies, in sector cars •• not behind a desk but actually in sector cars •• than we did January, 2004. During the same period, I should mention that the must of police officers, and we're just zeroing in on police officers, in the department has decreased by 68. So our redeployment to the street and the hiring of civilians certainly appears to have worked.

In COPE today compared to January, 2004, we have more officers in COPE, because that's something that was mentioned to me, that we were short in COPE over 2004; not true. We have redeployed officers without civilianization, these were people that worked in Headquarters and we redeployed them without asking for a hiring to replace them. Looking at it from a management and an efficiency point of view, we felt that we could do that. The other efficiencies that we built into the Police Department, Workman's Comp initiatives, alarm reduction just to mention two, combined with the redeployment and civilianization has put approximately 89 police officers extra in patrol. Now, that's smart government, it's efficiency.

In '07 and '08 we plan to civilianize 45 more positions, police officer positions in the department. I think I mentioned during that same time period that we have increased our civilian work force in Suffolk County Police Department, not counting Crossing Guards, by 21. The hiring cycle, which I found out about when I was notified this morning, where 45 officers are going to be hired in March and 30 officers in September, will certainly decrease •• or 30 and 45, is certainly going to create a problem for our summer and holiday

redeployment. As you know, for the summers, the past summers, we redeployed the academy staff to the streets of our downtown areas for the summer because we don't have a class in the academy. We have scheduled the classes for September so that they graduate in March. They do two ••

P.O. LINDSAY:

Could you wrap up, Commissioner, please? You're out of time.

COMMISSIONER DORMER:

They do two months on the street and then they're ready to go to work in the summer. So just be aware that the cycle that you have proposed will create a negative impact on our cops on the street. Thank you.

P.O. LINDSAY:

Gil Anderson. I have two cards, Mr. Anderson, with your name on it, you can only speak once. The second one has Gil Anderson and Tom Rogers, I'd be happy to recognize Mr. Rogers if he has something to add to the discussion.

MR. ANDERSON:

Yes, I wanted to address the Legislature on two issues. There's a CN with regard to an agreement between the County and the State for •• it's a maintenance agreement for snow and ice removal on various County and State roads, and the second CN I wanted to speak about was regarding Smith Point Beach nourishment and Tom Rogers, the Director of Bridges and Waterways, would be the best one to speak about that, so I'll let him address that.

Briefly, the snow and ice agreement with the State is an agreement that was reached between the New York State Department of Transportation and the Suffolk County Department of Public Works. What it allows for is a small portion of each roadway will be maintained by the other, the plows and trucks that operate during these emergencies have certain routes. It would allow us to, where logical, remove snow, place, you know, salt for the ice conditions without having to have them come in to the area. It's an equitable solution for both agencies and there's no additional cost involved with doing this. So I just wanted to bring that to your attention in case •• and if there's any questions I'd be glad to answer them.

[COURT STENOGRAPHER • LUCIA BRAATEN]

P.O. LINDSAY:

We can't ask any questions under the public portion by our rules.

MR. ANDERSON:

Oh, okay.

P.O. LINDSAY:

Does Tom Rogers also want to speak?

MR. ANDERSON:

Yes. Tom, you want to come up?

MR. ROGERS:

I'll wait.

P.O. LINDSAY:

There is no questions, Mr. Rogers. We can't ask ••

LEG. CARACAPPA:

During the CN.

MR. NOLAN:

You can when they consider the CN.

MR. ANDERSON:

Yeah, he can answer questions during the CN, we'll wait till that time.

P.O. CARACAPPA:

Yes, he can. Yes, he absolutely can.

MR. ANDERSON:

Okay, we'll do it at that time. Thank you.

P.O. LINDSAY:

Okay, thank you very much. I do not have any other questions? We're just about at the bewitching hour of our one hour public portion. Is there anyone else in the audience that would like to address the body? Seeing none, I'll accept a motion to close by Legislator Caracappa, seconded by Legislator Eddington. All in favor? Opposed? Abstentions?

MR. LAUBE:

15.

LEG. SCHNEIDERMAN:

I'm here.

MR. LAUBE:

Oh, 16 (Not Present: Legislators Losquadro & Kennedy).

P.O. LINDSAY:

At this time, I am going to call a recess and we will resume after we have some technical questions answered to questions that were raised to me that I think I can answer with respect to caucuses. So at this time we're going to call a recess. Thank you.

[Brief recess taken: 11:01 AM • 1:32 PM]

P.O. LINDSAY:

Okay. Mr. Clerk, would you call the roll, please.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

Here.

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Here.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Here.

LEG. STERN:

Here.

LEG. D'AMARO:

Here.

LEG. COOPER:

Here.

D.P.O. VILORIA • FISHER:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay, if you would go to the agenda for today. We finished No. 1, the one hour public portion, we're at **2, to consider and vote on the override of Resolution 1026•2006, a Local Law strengthening smoking prohibition at Suffolk County facilities.** I will make a motion to override the veto.

D.P.O. VILORIA•FISHER:

Second.

P.O. LINDSAY:

I have a second by ••

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

•• Legislator Fisher. Are you up to us, Mr. Clerk?

MR. LAUBE:

Yes, sir.

P.O. LINDSAY:

Okay. I recognize Legislator Alden.

LEG. ALDEN:

Just the key point of this •• and you're the sponsor of it, just to make a clarification •• this would make our law that's in effect applicable to any entry; is that correct?

P.O. LINDSAY:

Go ahead; you want to answer it, Counsel?

MR. NOLAN:

That is correct, all entrances to County buildings.

LEG. ALDEN:

Good. Okay, thank you.

P.O. LINDSAY:

Is there any other questions about this? Unless I see a request for a roll, all in favor?

LEG. SCHNEIDERMAN:

You have to do a roll call.

MR. NOLAN:

Do a roll call.

P.O. LINDSAY:

Okay, roll call.

(*Roll Called by Mr. Laube • Clerk*)

P.O. LINDSAY:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Reluctantly, yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

No.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

MR. LAUBE:

17 (Opposed: Legislator Caracappa).

P.O. LINDSAY:

Okay. ***Item 3, to consider and vote on Budget Amendments to the Mandated Portion of the proposed 2007 County Operating Budget.***

Before I get into the discussions and the merit on that, I did want a couple of things clarified.

There was a request, actually it wasn't a request, it was a point that we were violating the Charter because of the 48 hour rule and transparency and whatever, and I'd like Counsel to address that, if possible.

MR. NOLAN:

The Charter states that the budget amending resolution should be on the •• laid on the table essentially two days prior to the vote, except if the Presiding Officer grants a waiver to the Budget Office, our Budget Review Office. It's been done before, it's been done again this year, so we are able to vote on the budget amending resolutions today.

P.O. LINDSAY:

Anybody have any questions about that? No? Okay.

The next thing that I'd like to address is some remarks that were made in the public portion this morning, one about the Omnibus which we're about to address, it would add \$25 million to the budget. Ms. Vizzini, could you address that, please?

MS. VIZZINI:

Yes, the Omnibus resolutions which you are about to address are broken into a mandated component and a discretionary component. The mandated component reduces the discretionary expenses by \$24 million and the discretionary component does the accompanying increase of \$24 million.

P.O. LINDSAY:

So in totality, it's really revenue neutral between one and the other.

MS. VIZZINI:

Yes. The mandated •• the Charter and the cap laws require us to amend the budget in a certain fashion; the mandated must be treated in one resolution and the discretionary is treated in another. Taken both together, there is no impact on property taxes, it's revenue neutral.

P.O. LINDSAY:

Okay. The next thing that I would like you to explain to the body is the effect of these two budgets on the cap laws and what affect that has as far as the number of votes to pass it.

MS. VIZZINI:

Well, in terms of the cap laws, they are a somewhat hypertechnical calculation. The Tax levy law pertains to the discretionary property tax levy for the General and the Police District Funds only. The expenditure cap

pertains to discretionary expenditures in all funds. So they each require separate and distinct calculations.

The Executive Budget Office presented the recommended budget based on a methodology that differs somewhat from the Budget Review Office's methodology in actually arriving at what the number will be in terms of tax levy compliance. The recommended budget shows, using the County Executive's methodology, that they are within the tax levy •• the tax levy cap within \$2 million, so there's \$2 million of leeway.

Based on our calculations, the recommended budget does not comply with the tax levy cap; they're in excess of \$14.8 million. However, this is a policy decision for the Legislature in terms of whose calculations we accept. If we accept the County Executive's calculations, you are limited to any change in the \$2.7 billion budget to \$2 million, the net impact of \$2 million. The Mandated and Discretionary Omnibus is constructed so there is absolutely no increase in property taxes, however, there is a swing in terms of appropriations. And the Discretionary Omnibus, as I just mentioned, increases appropriations \$24 million which are completely offset by taking mandated and discretionary together.

P.O. LINDSAY:

One more question or two more questions. In totality, are we spending more money under the omnibus resolutions as compared to the document that was sent to us by the Executive?

MS. VIZZINI:

Most of what you're doing in the Omnibus is for the purposes of accountability and transparency. When you get down to the expenditures, you are spending approximately \$8.1 million, all of which is offset by recognizing \$5.4 million in transportation revenue that is not in the 2006 estimated budget, and increasing very modestly point two five percent sales tax, as well as approximately a million dollars in minor expenditure reductions based on Budget Review recommendations.

That eight million constitutes \$2.7 million that you are reserving for pay•as •you•go; \$4.5 million for contract agencies that in the opinion of the working group were underfunded; a million seven for Probation which includes 19 positions, eight of which are for the Sex Offender Court, equipment for electronic monitoring and provision for enhancements according to the

Criminal Justice Coordinating Council's recommendations for jail recidivism prevention and alternatives to incarceration. We also purchased thirteen replacement vehicles for Probation. Also part of that eight million is \$300,000 for mercury-free vaccines and \$200,000 to address new State mandates regarding bulk petroleum storage.

The last two contributing items are funding to bring Legal Aid up to a level where they can continue their current service delivery. This is not their Senior Program, although their Senior Program is increased by \$289,000 in the Omnibus.

And the last item of \$900,000 is to properly fund nine positions from the General Fund which are •• which are transferred in the recommended Operating Budget to Water Quality. So we're reversing that transfer and also making a policy statement that we are setting a threshold in terms of tolerance for the number of positions to be funded in Water Quality.

P.O. LINDSAY:

But to answer the question, so in other words, the money has the •• the \$8 million is either through enhancements of money that wasn't counted in the original Executive budget scenario or reductions in other lines or the movement of money within the budget from different priorities that one sees as the Executive's priority, one sees as the Legislative priority; would that be a fair statement?

MS. VIZZINI:

That is accurate, yes.

P.O. LINDSAY:

Okay. Getting back to the cap, the mandated portion that is •• we are addressing now, how many votes will that need?

MS. VIZZINI:

Now, the mandated portion makes the lion's share of the property tax reductions; because of that, it requires 10 votes.

P.O. LINDSAY:

Okay. And the discretionary?

MS. VIZZINI:

The discretionary will offset the reductions you make in the mandate and because it is more than \$2 million, your margin for compliance with the tax levy cap, it requires 14 votes.

P.O. LINDSAY:

And it's something that I will say for the record and that has come up many times in our discussions through the last several weeks about •• there was a long discussion this morning about transparency on the record. And I think the first thing that has to be transparent is these cap laws that are very difficult for anyone to understand except a few people in Budget Review seems to be the only ones that understand it. And I think it's something as a body that this Legislature should take a hard look at simplifying and making clearer for people to understand in a formula that does the same thing as the tax caps. Nobody wants to repeal the tax caps but everybody I think has a wish to make them more transparent that they could be understood.

The last question I have and there could be some other questions here, from •• what would happen if we passed the mandated portion of the Omnibus and we did not pass the discretionary?

MS. VIZZINI:

Briefly, if only the mandated portion passes, it would not be fiscally responsible. It would accomplish a \$24 million reduction in the tax •• the tax levy; however, the reason for that reduction is because of the increase in the discretionary. If for some unforeseen reason the mandated Omnibus passes and the discretionary does not, I would strongly recommend that you reconsider the mandated.

P.O. LINDSAY:

Okay. Legislator Kennedy, I see you reaching for a mike?

LEG. KENNEDY:

Thank you, Mr. Chair. Gail, I'd just like to go a little bit further with what, in fact, the \$24 million reduction in the mandated portion is. Is this a tool that we're utilizing to remedy what were errors in presentation or compliance with the Executive's budget as it originally came across? Is this real reductions; how can we view this or understand it?

MR. LIPP:

A large part of it is, yes, it's to correct the present budget presentation. For instance, monies were booked in Fund 425 that serve as a reserve fund that were Medicaid recoveries that are mandated General Fund revenue. The Omnibus puts it back properly, that is it treats it as General Fund revenue, but then sends it back as an interfund transfer from the General Fund as an expenditure back to Debt Service Reserve. The expenditures are on the discretionary side of the budget, the revenues on the mandated side of the budget. So one of the biggest items in the mandated budget is \$11.6 million increase in revenue for Medicaid recoveries that you don't see in the discretionary side of the budget. What you do see on the discretionary side is the companion expenditures; that's why they really were tied together, the two Omnibuses.

LEG. KENNEDY:

But then I'll go back to the dialogue and the soliloquy that the Presiding Officer just had with Ms. Vizzini and her response; that, in fact, both these resolutions should be adopted in order to effectuate some kind of a cumulative effect. I don't necessarily understand or follow where we have to go to the expenditure side if we're remedying the bookkeeping errors in the first instance or mischaracterization on a mandated side. How do we make that link?

MR. LIPP:

Well, for that one particular instance, and obviously the Omnibus includes more line items. But for that one particular example, what you would be doing for just that one line item is you would be increasing mandated revenue but you would not •• in not passing the discretionary Omnibus, you would not be transferring a like amount to Debt Service Reserve. So effectively you would be lowering property taxes with that one line item by \$11.6 million and you would not be replenishing Debt Service Reserve with the money, if that's what you intend to do.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

Doesn't, to a certain extent, 3A and 3B take care of a lot of that bookkeeping?

MR. LIPP:

3A and 3B are standalone resolutions that would be considered if the Omnibus does not pass.

LEG. ALDEN:

Well, actually they should be considered if it does pass; they should be considered either way.

MR. LIPP:

I would have to defer to Counsel on that.

LEG. ALDEN:

But doesn't •• to a certain extent, then, if for instance No. 1, mandated passes, No. 2 the discretionary doesn't; then 3A and 3B, wouldn't they take care of a lot of the technical transfers that were required?

MR. LIPP:

No. What 3A and 3B would do would comply the cap presentation to BRO's interpretation and would also, as a result, recognize that because of that interpretation, too much money was transferred to Debt Service Reserve in terms of a required amount and it would reduce that transfer by about 4.1 million and reduce property taxes by that amount; those are the only things it would do.

LEG. ALDEN:

One point five million the property tax would be reduced.

MR. LIPP:

Four point one million.

LEG. ALDEN:

It was one point five when I gave it to you to draft, the other was a transfer.

MR. LIPP:

Perhaps the one point something million is the required transfer, the reduction would be four point one, reduction from the over five million that's the recommended transfer.

LEG. ALDEN:

Okay, because the other money was transferred into Debt Reserve.

MR. LIPP:

Correct, so this would unravel 4.1 of that transfer, of the 5.9.

LEG. ALDEN:

No, it still calls •• the way I drafted it, it still called for three point something to be transferred into Debt Reserve and 1.5 to give an additional decrease in taxes.

MR. LIPP:

That's not what the calculation determined.

LEG. ALDEN:

How much was transferred into Debt Reserve then? Because I have your original draft with me if you want to look at it.

MR. LIPP:

I believe it's 1.8 million gets transferred instead of 5.9.

LEG. ALDEN:

Okay. Then before we get to that, I'm going to ask for them to just reconcile between what I have in a prior draft and whatever ended up here.

P.O. LINDSAY:

You mean as far as standalone 3A and 3B?

LEG. ALDEN:

Yeah, if we get to the stand•alones.

P.O. LINDSAY:

Well, we're going to get to them. But, I mean, maybe I'll give you a chance to talk to them, but if it's in the packet already I think our only choice is to vote on what's in there or a withdrawal.

LEG. ALDEN:

Well, I mean ••

MR. NOLAN:

You can amend it on the floor.

P.O. LINDSAY:

We could amend it on the floor?

MR. NOLAN:

Yes.

P.O. LINDSAY:

Okay.

LEG. ALDEN:

But that's fine with me, a \$4 million reduction in property taxes, but I had thought I had drafted it for one point five million.

MR. LIPP:

For the record, what could be done is amend it on the floor and effectively what the current version says is the required transfer is the lesser amount; if you would like it to be what you originally intended it to be, we could adjust it to that and there would be •• part of the transfer would be not required but you could make that additional transfer.

LEG. ALDEN:

Okay, so we could do that when we •• sorry. So the point is we can do it when we get to that resolution. Okay.

P.O. LINDSAY:

Okay. Any •• did we get a motion on this? No, we didn't.

MR. LAUBE:

No, you did not.

P.O. LINDSAY:

All right, so I'm going to make a motion to approve.

LEG. LOSQUADRO:

Mr. Chairman?

P.O. LINDSAY:

Yes.

LEG. LOSQUADRO:

I had spoken to you earlier, would it be possible to get a brief recess, five minutes?

P.O. LINDSAY:

Sure.

LEG. CARACAPPA:

A true five minutes.

LEG. LOSQUADRO:

Yeah, a true five minutes.

P.O. LINDSAY:

Recess.

[BRIEF RECESS TAKEN: 1:54 PM • 3:17 PM]

P.O. LINDSAY:

Call the roll, please.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Present.

LEG. SCHNEIDERMAN:

Here.

LEG. BROWNING:

Here.

LEG. CARACAPPA:

Here.

LEG. LOSQUADRO:

Present.

LEG. EDDINGTON:

Here.

LEG. MONTANO:

Here.

LEG. ALDEN:

Here.

LEG. BARRAGA:

Here.

LEG. KENNEDY:

Yes.

LEG. NOWICK:

Yes.

LEG. HORSLEY:

Yes.

LEG. MYSTAL:

Here.

LEG. STERN:

Yeah.

LEG. D'AMARO:

Here.

LEG. COOPER:

Here.

D.P.O. VILORIA • FISHER:

Here.

P.O. LINDSAY:

Here.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. We left off at **No. 3** on the agenda, ***to consider and vote on the Budget Amendments to the mandated portion.*** I think, Mr. Clerk, we have a motion and a second?

MR. LAUBE:

You have a motion but not a second.

D.P.O. VILORIA • FISHER:

Second.

LEG. CARACAPPA:

Is this mandated, Mr. Chairman?

D.P.O. VILORIA • FISHER:

Yes.

P.O. CARACAPPA:

Yes. Anybody on the issue? Seeing none, roll call.

(*Roll Called by Mr. Laube • Clerk*)

P.O. LINDSAY:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

LEG. COOPER:

That was a yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

No. 4, to consider and vote on the budget amendments to the discretionary portion of the proposed 2007 County Operating Budget.

I'll make a motion.

D.P.O. VILORIA • FISHER:

Second.

LEG. LOSQUADRO:

Second.

P.O. LINDSAY:

Second by Legislator Losquadro.

LEG. CARACAPPA:

Mr. Chairman, on the motion, please.

P.O. LINDSAY:

On the motion, Legislator Caracappa.

LEG. CARACAPPA:

It was brought to my attention, reading over the material of Omnibus, some of the added groups that were put in, there were some mistakes, especially I think with myself in my district and I think one or two of my colleagues may have noticed a mistake with the dollar amount and/or the agency. I'd like to on the record correct that and make a motion to amend Omnibus as amended based on what Budget Review is able to tell us along those lines.

D.P.O. VILORIA • FISHER:

Can you tell us?

P.O. LINDSAY:

Do you want to question them first or do you want to make the motion to amend?

LEG. CARACAPPA:

Yeah, I'm going to make a •• I'm questioning Budget Review to put it on the

record what I'm asking to be amended.

MR. REINHEIMER:

Right. Legislator Caracappa asked us to make a change, we inadvertently put \$10,000 in the wrong agency line, we put it on page 19 of the discretionary Omnibus lines, EAC Child Advocacy, \$10,000; that was reduced, that was incorrect, it was put on a line in Omnibus on page ••

MS. VIZZINI:

Twenty.

MR. REINHEIMER:

Page 20 into Suffolk County Child Advocacy Center, EAC. There's no change in funds, it corrects the agency that the money was intended for.

LEG. CARACAPPA:

This one's not mine.

MR. REINHEIMER:

That was one •• that was one that was brought to our attention for ••

LEG. CARACAPPA:

I think this is one of my colleagues, the one line change.

MR. REINHEIMER:

Social Services brought that to our attention, I'm sorry. The one that Legislator Caracappa asked us to change •• and that was a thousand dollar change in each direction. Legislator Caracappa's was on Page 10, Middle Country Library, we removed \$10,000 from that line on Page 10 and put \$10,000 on page 18 into Middle Country Library Documentary for 10,000; no change in the total omnibus cost.

LEG. CARACAPPA:

Right. So the ••

MR. REINHEIMER:

And we'll distribute those changes through the Clerk of the Legislature.

D.P.O. VILORIA•FISHER:

I'm sorry, Lance, can you say that again because I had put some money in

that documentary.

MR. REINHEIMER:

Oh, that's in addition to the \$2,000 that was in there already. So the line will read \$12,000, the corrected line; \$10,000 was requested by Legislator Caracappa, \$2,000 was your request, so the total would be 12.

LEG. CARACAPPA:

Middle Country Public Library has two separate lines, one is for their teen agency and one is for the documentary. Mine was put in the teen agency as opposed to the documentary line and that's the change that I've asked for as an amendment, Mr. Chairman, to Omnibus. The second one was the EAC that Budget Review had just mentioned for the thousand dollars.

P.O. LINDSAY:

So you will make a motion on both of those changes amending it on the floor?

LEG. CARACAPPA:

Certainly.

P.O. LINDSAY:

And I'll second that motion

LEG. CARACAPPA:

Thank you, Mr. Chairman.

P.O. LINDSAY:

On the amendment, I'm just going to take all in favor? Opposed? Abstentions?

MR. LAUBE:

18.

P.O. LINDSAY:

Okay, anybody else on the Discretionary Budget, anybody want to speak? Seeing none, roll call.

(*Roll Called by Mr. Laube • Clerk*)

P.O. LINDSAY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yeah.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

MR. LAUBE:

18.

P.O. LINDSAY:

Okay. ***No. 5, To consider and vote on Home Rule Message No. 9, Home Rule Message requesting the State of New York to authorize the County of Suffolk to establish an independent Office of School Inspector General.*** Okay. I'm going by the agenda, forgive me. Let's do the stand•alones. Does everybody want to go to the stand•alones or do you want to ••

LEG. CARACAPPA:

Yes.

P.O. LINDSAY:

All right. Okay, if you get your list of stand•alones, it's six pages; am I correct, Budget Review?

MR. VIZZINI:

I'm sorry, Mr. Presiding Officer, could you ask that question again?

P.O. CARACAPPA:

I have two lists of stand•alones here, one is six pages and the other one evidently is seven pages; which one are we going with?

MS. VIZZINI:

Do you have a column that says number of required votes?

P.O. LINDSAY:

No.

MS. VIZZINI:

Okay. Do you have number 51 at the end?

LEG. MONTANO:

Yes.

MS. VIZZINI:

That was a clarification, Legislators Alden and Stern, there was a miscommunication. We were asked to please put that on the index, so that is the most recent one.

LEG. ROMAINE:

Okay.

MR. NOLAN:

Should we have the required votes, though, Gail?

MS. VIZZINI:

Yes, we'll provide you with a copy of that.

MR. NOLAN:

I got it.

P.O. LINDSAY:

Okay, evidently the one with six pages is the most recent.

MR. NOLAN:

The only difference is the Item No. 51 at the end. If it's the intention for that to be withdrawn, it can be withdrawn when we get to it.

P.O. LINDSAY:

Yeah, I got it.

MR. NOLAN:

You got it, okay.

P.O. LINDSAY:

I got it, but we had two different versions. I gather, then, the difference is the original sheet that was given us this morning had seven pages and then later in the day, in the morning we were given Resolution No. 51•2006 to add to it and then you made up a new sheet with all 51. We're on board now, everybody's on board?

LEG. CARACAPPA:

Yes, rock and roll.

P.O. CARACAPPA:

Okay. One is already done, two is already done. 3A.

LEG. ALDEN:

Is conflicted.

P.O. LINDSAY:

3A or 3B is conflicted?

LEG. CARACAPPA:

They both are.

LEG. ALDEN:

Both of them, I was informed by Budget Review both of them are.

P.O. LINDSAY:

Is that correct, Budget Review, that they're both conflicted?

LEG. ALDEN:

It's two pieces.

MS. VIZZINI:

As it currently stands, 3A and 3B, taken together, would conform the status of funds presentation based on the Budget Review Office's interpretation of the respective cap laws. The mandated alone is really just words. The original version, unless there is a change, the original version you have here, as a result of doing the cap calculations pursuant to the Budget Review Office, the 2005 discretionary fund balance is actually reduced from 64

million to 11 million.

P.O. LINDSAY:

Okay.

MS. VIZZINI:

The reason I'm even ••

P.O. LINDSAY:

Is 3A and 3B conflicted by Resolution 2?

MS. VIZZINI:

Just B; you could do B but they're husband and wife, so B conflicts because •
•

LEG. ROMAINE:

Okay, they're conflicted, thank you.

LEG. MYSTAL:

Thank you, Gail

LEG. ROMAINE:

Next?

D.P.O. VILORIA • FISHER:

Should we do A or not?

LEG. LOSQUADRO:

No, you can't do it without B.

LEG. ROMAINE:

No.

P.O. LINDSAY:

So they're both in conflict.

LEG. ALDEN:

That's what I said.

P.O. CARACAPPA:

That's what you said.

LEG. ROMAINE:

Put together they're both in conflict.

MS. VIZZINI:

Is there any desire of the sponsor to amend B?

LEG. ROMAINE:

No.

P.O. LINDSAY:

No.

LEG. ALDEN:

Wait a second, I didn't feel any hands go up my back.

P.O. LINDSAY:

All right. I'm going to make a ruling from the Chair; 3A and B is one resolution that's conflicted, so they're done.

Four, Deletes the Gasoline Rebate Fund 104 until the amount, terms and conditions of the LIPA settlement are known and directs the County Executive to use these funds to offset a temporary reduction in the home energy portion of the sales tax for a period that would equate to the dollar value of the LIPA settlement.

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

And the conflict is five, which we didn't get to yet.

LEG. ROMAINE:

So you can vote on four before you vote on five.

LEG. ALDEN:

Right. Motion to approve.

P.O. LINDSAY:

That's right.

LEG. ROMAINE:

I'll second the motion.

P.O. LINDSAY:

Okay. We have a motion and a second. On the question, I would just like to state for the record that I think both of these, four and five, are premature in that we haven't settled the case yet. And when the settlement comes forward, it's a Legislative lawsuit that we will have to vote on the settlement before it's settled. So I think it's way premature.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

Okay, Legislator Alden.

LEG. ALDEN:

This just corrects something that came over in the County Executive's budget where he actually took our lawsuit and took the proceeds from that and decided to do something completely different like give \$15 gas cards. So that's why I was trying to correct the budget as presented by the County Executive.

P.O. LINDSAY:

But I believe by passing the Omnibus we did not approve the Executive Branch's idea as far as the budget is concerned.

LEG. ALDEN:

Maybe not, maybe.

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

I was only going to comment that the County Executive ••

P.O. LINDSAY:

I don't think you're on.

LEG. LOSQUADRO:

I don't think your mike is on.

LEG. HORSLEY:

It's hard to believe.

LEG. ROMAINE:

Oh, never mind. No, I was just going to comment that I think the County Executive put in this Gasoline Rebate Fund 104 and if I'm a faithful reader, as I am, of Newsday, I believe he tried to spin this as one of his major components of his budget. What Legislator Alden's resolution does, or mine in the converse, is it simply deletes this Gasoline Rebate Fund 104 from any budgetary consideration, something I don't believe we did in the Omnibus; not that there's any money in it, but I don't believe we deleted this fund. This deletes any mention of the fund.

P.O. LINDSAY:

Legislator Fisher, Viloria•Fisher.

D.P.O. VILORIA•FISHER:

Gail, as I read page one, doesn't it say that the Discretionary 2007 Budget shall delete the Discretionary 2007 Recommended Gasoline Rebate Fund 104, on page one of the Omnibus? Maybe I misread that.

MR. NOLAN:

No.

MS. VIZZINI:

You're reading from the standalone?

D.P.O. VILORIA•FISHER:

No, from •• what am I reading here?

MS. VIZZINI:

Yeah, you're reading from the standalone.

D.P.O. VILORIA•FISHER:

Oh, that's the standalone, sorry, I thought that was part of the Omnibus. I just confused my papers here, sorry.

MS. VIZZINI:

Yeah, the Gasoline Rebate Fund is anticipated settlement monies. This resolution would delete the fund where the monies are waiting to come into.

P.O. LINDSAY:

If we get them.

MS. VIZZINI:

Yeah.

P.O. LINDSAY:

And if this body approves the settlement of the lawsuit.

LEG. ALDEN:

Correct.

MS. VIZZINI:

No matter what we do, if we get those monies this body has to approve it in terms of how they're used.

D.P.O. VILORIA • FISHER:

Right.

P.O. CARACAPPA:

Not only in terms of how they're used, on whether we're going to settle this lawsuit or not.

MS. VIZZINI:

I would defer to Counsel, but I think you're absolutely right.

P.O. CARACAPPA:

Am I right, Counsel?

MR. NOLAN:

That's a case that was brought by this Legislature. The Legislature will have to approve any settlement.

P.O. CARACAPPA:

Okay. We have a motion and a second. Any other comments on stand•alone four? Hearing none, do you want a roll call?

LEG. ALDEN:

I don't care, I think there's only a couple of people for it.

P.O. LINDSAY:

Okay. Well, if there's no ••

LEG. LOSQUADRO:

Yeah, take a roll call.

P.O. LINDSAY:

Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ALDEN:

Yes.

LEG. ROMAINE:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Pass.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

Yes.

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

Abstain.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No, it's premature.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

So it stays in the budget.

LEG. BARRAGA:

I said yes.

MR. LAUBE:

Seven.

P.O. CARACAPPA:

Okay, five. I guess is the ••

LEG. MYSTAL:

Same motion, same call, same vote, let's go.

P.O. LINDSAY:

Same motion, same vote, same •• no?

LEG. LOSQUADRO:

I agree with the first proposal.

P.O. LINDSAY:

Legislator Losquadro.

LEG. LOSQUADRO:

I would ask for a separate vote. No offense to Legislator Romaine here, but the first •• even though it was premature, I had agreed early on that any prospective monies that are realized from that settlement should go a reduction in the Home Energy Tax. I do not believe the latter resolution, No. 5, would have to be something that would be worked out later. So I was in agreement with the first one, I'm not in agreement in the second one.

LEG. ROMAINE:

I'll withdraw Resolution No. 5 then.

P.O. LINDSAY:

Okay. Moving right along, ***No. 6, Adds \$1,640,268 for 25 Police recruits in March, 2007. The cost is offset by an increase in sales tax to the Police District. The impact on the General Fund is offset by equal amount of revenue increases. The intent is to have a total of 100 recruits in '07 which is consistent with the recommendation of the Budget Review Office.***

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

Okay, motion to approve. Do I have a second?

LEG. ROMAINE:

Second.

P.O. LINDSAY:

Second by Legislator Romaine.

MR. NOLAN:

It will take 14 votes.

LEG. LOSQUADRO:

On the motion.

P.O. LINDSAY:

Counsel says that we need 14 votes on that; there's a notation in the agenda, if you'll notice. On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

I would just say that we had worked in the budget work group towards this end and I believe reached a reasonable compromise during the process that we all thought was workable within the constraints of the budget. I would very much like to have seen an additional 25 officers, but as part of the process that we negotiated in good faith, that 75 is where we wound up, so I'm willing to stay and support that.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

Go ahead, Legislator Alden.

LEG. ALDEN:

The reason for this is pretty much driven by my visits to a few precincts. We're supposed to have "X" number of cops on the street, we don't have "X" number of cops on the street. There's two things that can happen there,

people can get hurt and the second thing is that because we don't staff all our COPE Units and that's thoroughly funded, we can be put in a position where we owe tens of millions of dollars back to the Federal Government for inappropriate spending of some of their funds. So this would go a long ways into putting 25 more cops right on the street, right where they belong in every one of our precincts.

P.O. LINDSAY:

Anyone else? Legislator Romaine.

LEG. ROMAINE:

Question again for Budget Review. This is revenue neutral, it will not affect property taxes; is that correct?

MS. VIZZINI:

That is correct.

LEG. ROMAINE:

Thank you.

P.O. LINDSAY:

The only thing that I'd like to weigh in on this, and it's something that we spent a great deal of time in the working group, is equalizing the numbers that were presented to us by the Police Department and the County Executive and Budget Review as far as maintaining the Police presence that we have now. And in that formula was taken into consideration the civilianization, the number of retirements and that's why we chose to add an additional 25 Police to maintain the force that we have now, giving credit for those other two things. And that's all I want to say. Okay.

LEG. COOPER:

Excuse me. Mr. Chairman?

P.O. LINDSAY:

Yes.

LEG. COOPER:

Reluctantly, can I ask to call a five minute recess? I don't want to do it but I think I ••

LEG. ALDEN:

You just recessed for four hours, five hours today.

LEG. COOPER:

But a question was raised by a colleague and I think we just need to get a consensus on this. It's a minor issue, it can be resolved in a minute.

P.O. LINDSAY:

I've granted every recess so far today, I can't see any reason to deny this one.

LEG. ALDEN:

Okay.

[BRIEF RECESS TAKEN: 3:37 PM • 3:45 PM]

P.O. LINDSAY:

There's no •• every Legislator to the horseshoe, please. All right. Mr. Clerk, as I recall we're on six, is that right?

MR. LAUBE:

Do you want a roll call?

P.O. LINDSAY:

We have a motion on six and a second, we're ready for roll call, I believe.

MR. LAUBE:

No, do you want a roll call for return from the meeting?

P.O. LINDSAY:

No.

MR. LAUBE:

No, okay.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ALDEN:

Yes.

LEG. ROMAINE:

On the Police?

LEG. D'AMARO:

Which one are we on?

LEG. MYSTAL:

Six.

LEG. ROMAINE:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

Pass.

LEG. STERN:

Pass.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Pass.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Pass.

MR. LAUBE:

Legislator Caracappa?

LEG. MYSTAL:

He's gone.

LEG. ROMAINE:

He left.

LEG. BROWNING:

Pass.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

LEG. D'AMARO:

No.

LEG. STERN:

Pass again ••

LEG. MONTANO:

You can't.

LEG. STERN:

No.

LEG. NOWICK:

No.

LEG. LOSQUADRO:

No.

LEG. BROWNING:

No.

MR. LAUBE:

Four.

P.O. LINDSAY:

No. 7, adds a class of 25 Police recruits in September of 2007 at a cost of \$636,489. The cost is offset by an equal reduction in Terminal Sick Leave and Terminal Vacation Pay. This action is a recommendation of the Budget Review Office. See Budget Review Office Report, Page 298.

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

Do I have a second?

LEG. MYSTAL:

Ed? Ed, they're waiting for your second.

LEG. ROMAINE:

Second.

LEG. MYSTAL:

Thank you. Move the stuff along.

LEG. ALDEN:

Oh, Ed, you and I, if things are vetoed, they won't be overridden, they would be sustained, you watch. This goes back ••

LEG. D'AMARO:

We'll give it back to the taxpayers.

LEG. ALDEN:

Yeah, this goes to the bottom line. You'll see the pork ••

P.O. LINDSAY:

I don't think you have the floor, Legislator Alden.

LEG. ALDEN:

Oh, I'm out of order, I'm sorry.

P.O. LINDSAY:

Do you want to address the body or do you want to just go to roll call?

LEG. ALDEN:

Whatever you want to do.

P.O. LINDSAY:

We're not in the middle of a vote, we've got a motion and a second.

LEG. ALDEN:

My comments on No. 6 apply to this as well. This would put more cops on the street to fulfill our duty to the Police •• I mean to the people that live in Suffolk County to keep them safe. It would also allow the officers to staff the COPE Units, that are required to staff the COPE Units, and that's under the terms of our agreement with the Federal Government.

LEG. ROMAINE:

Mr. Presiding Officer, question for Budget Review. Is this revenue neutral? Does this affect in any way the property taxes of any of the residents of Suffolk County?

MS. VIZZINI:

The expense is offset by an equal reduction in another expenditure, so there is no net increase.

LEG. ROMAINE:

Thank you.

P.O. LINDSAY:

In '07.

MS. VIZZINI:

That's correct.

LEG. MYSTAL:

What about •• '08, '09, '010, '11, '12, '13?

D.P.O. VILORIA • FISHER:

Oh ten, huh?

LEG. ALDEN:

There might be increases in County government in those years; wow.

P.O. LINDSAY:

Roll call.

*(*Roll Called by Mr. Laube • Clerk*)*

LEG. ALDEN:

Yes.

LEG. ROMAINE:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

Pass.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Abstain.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Abstain.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

LEG. D'AMARO:

No.

MR. LAUBE:

Four.

P.O. LINDSAY:

Budget Amendment No. 8, Creates one Security Guard position, grade 13, in the County Clerk's Office at a cost of \$9,768 including salary and fringe benefits for a quarter of the year. The cost is offset by an equal increase in revenue from State aid other (001 • 3089). The

\$9,768 in offsetting revenue is split between the mandated and discretionary budgets with 4,366 in discretionary revenue shown in this resolution and the remaining \$5,402 shown in the accompanying mandated Budget Amendment Resolution No. 9. It still requires 14 votes. Do I have a motion?

LEG. ROMAINE:

Motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Second by Legislator Alden. On the issue?

LEG. MONTANO:

I have a question.

P.O. LINDSAY:

Yes, Legislator Montano.

LEG. MONTANO:

Yeah, I wasn't on the Omnibus Committee this year. Was this item and the other items that were •• that are included in these stand•alones, were they considered by the Omnibus Committee?

P.O. LINDSAY:

To my knowledge, they never came up.

LEG. ROMAINE:

To my knowledge, this item was considered but was not included.

P.O. LINDSAY:

I didn't ••

LEG. MONTANO:

This particular item was considered by the Omnibus?

LEG. ROMAINE:

Right, but ••

P.O. LINDSAY:

Through the Chair, please, gentlemen.

LEG. MONTANO:

Go ahead.

LEG. ROMAINE:

I believe this item was considered. Unfortunately, and this is probably an oversight of mine, what I was looking to do was not add a position but actually move a position from DPW back to the Clerk's Office, they had been moved out. There had been two Security Guards moved out, I wanted to move one back in because the security guards in Riverhead sit in that booth, they don't patrol the hallways per se. There's a lot going on in that hallway, a lot of public, a lot of problems that could be resolved by having the security officer there. Nevertheless, this is the way the resolution was presented, we'll take a vote on it. Maybe later in the year, after this probably will fail, I will try to put in something that will move at least one position from DPW back into the Clerk's Office so there's someone to patrol that office during the day hours.

LEG. MONTANO:

If I may.

P.O. LINDSAY:

Legislator Romaine, you think that's appropriate in that a budget planning document that we should go to the extreme of putting where we want security officers; shouldn't that be left up to ••

LEG. ROMAINE:

Mr. Presiding Officer, you voted to do exactly that last year when you voted to move two security guards out of the County Clerk's Office and into DPW. So I don't know, I can only judge by what your past actions were and those who voted on the similar resolution last year.

P.O. LINDSAY:

But you're talking about moving positions from one budget line to another, I believe that is something that's very appropriate. What you're talking about here is reassigning a security guard within that budget line?

LEG. ROMAINE:

No, that was my original •• right, that was my original intention.

P.O. LINDSAY:

Well, this creates another security guard.

LEG. ROMAINE:

Right, that's correct, that's correct. So ••

P.O. LINDSAY:

Legislator Montano.

LEG. MONTANO:

All right, I'm just trying to be clear. Was this something that had •• I have a recollection of this bill or this item having come up before the Legislature independent of the budget process; am I accurate or am I thinking of something else?

LEG. ROMAINE:

You must be thinking of something else.

P.O. LINDSAY:

I don't believe it's come before us and I don't believe it was raised during the budget talks.

LEG. MONTANO:

Was it raised? You said it was raised during the budget.

P.O. LINDSAY:

He said it was, I don't remember it coming up.

MS. VIZZINI:

Mr. Presiding Officer, this specific issue was not discussed in the working group.

LEG. ROMAINE:

Okay, I thought it was.

MR. ANDERSON:

No.

P.O. LINDSAY:

Okay, we have a motion and a second. Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAIN:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

Pass.

LEG. BARRAGA:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

LEG. KENNEDY:

No.

MR. LAUBE:

Three.

LEG. ROMAINE:

Mr. Presiding Officer, ***I would like to withdraw Resolution No. 9.***

P.O. LINDSAY:

Thank you.

No. 10, creates one new Dredge Engine Operator position in the Department of Public Works at a cost of \$11,455 for permanent salary and fringe benefits. Motion?

LEG. ROMAINE:

Yes, motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Second.

LEG. MONTANO:

Just a quick question on the motion.

P.O. LINDSAY:

Yes.

LEG. MONTANO:

Was this one taken up in the Omnibus Committee?

LEG. ROMAINE:

I believe it was because we were talking about the •• and I'll let Gail answer that question, if she would. But we had bought a booster pump, at the time we bought it Public Works said they could not operate it unless they had an additional new Dredge Engine Operator. We're putting one in for the last quarter of 2007. We believe the booster pump will by that time, a year and a half after the resolution, will be in place and operating. It's •• you know, we will be buying a piece of equipment that we won't have an operator operate and that's why I put this in.

LEG. MONTANO:

All right, I understand now why you put it in.

LEG. ROMAINE:

Right. Well, this was requested by DPW.

LEG. MONTANO:

The question I'm asking is whether or not this was considered by the Omnibus Committee in the overall budget process? I understand the reasons why. That's the question I'm asking; do you know the answer to that?

P.O. LINDSAY:

I think •• if I might intervene, I believe •• was this what, Mr. Anderson, you

wanted to comment on, was this issue one of the issues you wanted to comment on this morning? And if it is, I'll ask the question of you.

MR. ANDERSON:

No, it wasn't actually.

P.O. LINDSAY:

It wasn't that, okay

LEG. MONTANO:

All right, I'm still not clear.

LEG. LOSQUADRO:

If you'd like, it's something that we're debating. If you want some clarification.

LEG. MONTANO:

Well, if I may. I'm just trying to get an answer to my question which is not how good the position is, whether we need it, the question I'm asking simply is whether or not this topic was a subject matter that came before the Omnibus for consideration.

LEG. ALDEN:

Rick, would you suffer ••

LEG. MONTANO:

Yes, I would.

LEG. ALDEN:

To my recollection, no.

LEG. MONTANO:

May I ask why?

LEG. ROMAINE:

Gail, could we ask you?

LEG. MONTANO:

Why would it come before us now if we just spent •• and I wasn't on the committee, but I do know, having been on it before, that we have an exhaustive process where many things are considered. Any member that

wants something considered by the Omnibus for inclusion in the omnibus can simply make a request. I believe, I don't remember who was on; I believe, Legislator Alden, you were on the omnibus?

LEG. ALDEN:

I was.

LEG. MONTANO:

Okay. Legislator Romaine, were you on the Omnibus?

LEG. ROMAINE:

Yes, I was.

LEG. MONTANO:

All right, then why didn't it come before the Omnibus?

LEG. ROMAINE:

I don't know why because during committee here I specifically asked this to be drafted as a resolution and I would think that all resolutions that were drafted would be considered at the Omnibus meeting.

MS. VIZZINI:

Well, that's not ••

LEG. MONTANO:

That doesn't sound accurate, but I'll let Gail answer that.

MS. VIZZINI:

The Legislature did discuss the Dredge Engine Operator when we adopted the Capital Program, vis•a•vis the need for dredging. So that's •• that was probably the first time you were familiar with the issue.

Our report •• to the best of my ability, it's not a specific recommendation in our report. As you know, what the working group discusses is what is brought into it by the members, what is conveyed to the members by other Legislators or other Legislators often come in to the working group to bring things forward, and we go over each and every Budget Review Office recommendation.

Quite frankly, if we did talk about this because Legislator Romaine brought it

up, it was not something that was discussed immediately in terms of the merits. As you also know, there is so much material to go over that sometimes not everything is given as much attention as perhaps it should.

LEG. MONTANO:

Right, but my •• you know, what I'm getting at, and I'm going to drop the issue, if it's a standalone that is introduced by a member who was on the committee, Legislator Romaine, I'm just at a loss to not understand why it wasn't brought before the committee when that's the committee's job, to fashion the Omnibus and consider all the items. And if you're sitting there, any Legislator, it would seem to me that if you want an item in the Omnibus you would bring it forward at that time, not bring it at some later time; and that applies to all the standalone resolutions.

MS. VIZZINI:

Mr. Presiding Officer, if I could just clarify.

P.O. LINDSAY:

Go ahead.

MS. VIZZINI:

The stand•alones are not brought into the Omnibus work group. The Omnibus work group forges a consensus in terms of all changes that it wants to make. Typically, the stand•alones are either the belt and suspenders approach to the Omnibus or something that is distinctly not in the Omnibus for whatever reason.

LEG. MONTANO:

Right, but should not or are not a lot of the topics or the issues that are in the stand•alones issues that are considered by the Omnibus Committee rejected, such as the 25 Police Officers, and then come back and resurface as a stand•alone after the Omnibus has passed; am I missing something on that?

MS. VIZZINI:

I don't know that you can put any particular rule of thumb, probably on a case by case basis. There will be some things here that may have been addressed in Omnibus, there are other things that there just were not enough work hours in the day to address all the concerns.

P.O. LINDSAY:

And just to •• before I recognize Legislator Alden, just to comment further on what you are questioning. For example, when the stand•alone was put in for 25 additional Police Officers, the working group hadn't dealt with that issue as yet and what we wound up agreeing to was 25 Police Officers.

LEG. MONTANO:

Right, but as I understand the process, sometimes the stand•alones are introduced in the event that there is no Omnibus.

P.O. LINDSAY:

Exactly.

LEG. MONTANO:

And then like in my case, I had maybe 12 stand•alones that I introduced but when the Omnibus was completed I withdrew the stand•alones because it had gone through the budget process, we had reached agreement on that.

P.O. LINDSAY:

That's the point that I'm making right now. When stand•alones were put in • again, specifically for the Police resolution for 25 •• we put in 25, but the resolution was never withdrawn.

LEG. MONTANO:

So it's an additional 25.

P.O. LINDSAY:

Right, right.

LEG. MONTANO:

Thank you.

P.O. LINDSAY:

And the other question •• and I'm sorry, I know you want to talk, Legislator Alden, I'll be right with you.

LEG. ALDEN:

No, go right ahead.

P.O. LINDSAY:

The Dredge Operators within Public Works, the position; do we have any

vacancies in the Public Works Department?

MS. VIZZINI:

We certainly do have vacancies, although I don't believe that we have a Dredge Engine Operator vacancy.

P.O. LINDSAY:

Well, isn't it by specific grade? I mean, wouldn't you be able to hire someone at that and fill one of the vacancies?

MS. VIZZINI:

If you wanted to use, let's say, a vacant Engineering Aide, you would have to justify to Civil Service that the true duties and responsibilities are something different, get an earmark and, you know, do it that way.

[COURT STENOGRAPHER • ALISON MAHONEY]

P.O. LINDSAY:

Okay. Has that ever been done before around here?

MS. VIZZINI:

Yes, and ••

P.O. LINDSAY:

I said that facetiously. Legislator Alden.

LEG. ALDEN:

Just to clarify, you know, one point that seemed to be brought up in two different ways. My idea in the working group is to try to provide a framework that everyone can contribute to or participate in. So because some Legislator wants to do something as a stand•alone and maybe not in the Omnibus, I don't think that that's something that's prohibited by our rules because I believe I could ask for a ruling with what's our authority to put stand•alones in? It's the same authority as bringing any resolution forward, it's part of the Charter of Suffolk County. So whether you bring it as a stand•alone or you work on it in the working group, I don't see any problem with either path to try to do good government.

And just to clarify one other point, I argued for a class or 100 new Police Officers next year because I believe that through attrition and through the

non•success of the civilianization •• because I believe that the testimony from Budget Review was we had a net two positions in '06 and a net two positions in '05 or '07 as far as civilianization put that many people back on the streets, so that conflicted with some of the testimony that we were given and it also conflicts with actually what's happening out on the street. When you start looking at how many cops are on the street and you see sector cars tied up and you see COPE units where they're not at full strength, they're not at •• that the patrol is not at the authorized strength, then you have less cops on the street protecting the people. And that's why my intent all along was to get it up to about 100 or more for next year, but that's what the give and take in the Omnibus is about and it also gives everybody the opportunity to look at that issue again; everybody, instead of just the working group.

P.O. LINDSAY:

Legislator Romaine?

LEG. ROMAINE:

Yes, *I'd like to withdraw No. 10 and No. 11.*

P.O. LINDSAY:

Okay, *No. 12, increases temporary salaries by \$50,000 for a per diem weekend Pathologist to be called in on an as•needed basis (Romaine)*; and I'll leave it at that, you can read the rest of it at your will if you'd like.

LEG. MYSTAL:

If you care to.

P.O. LINDSAY:

Do I have a motion?

LEG. ROMAINE:

Motion, and I believe this was discussed by the Omnibus group.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Second.

LEG. LOSQUADRO:

On the motion?

P.O. LINDSAY:

On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

I'm sure I'm not the only person who received a letter and I know, you know, you're always going to get some chuckles on some of this stuff, but this is a very serious matter. We know that the ME's Office is under•staffed and this problem that is described in this resolution is something that we're bumping up against more and more often and it's something I feel very strongly that we need to address, either through this measure or at some later time if this does not pass. Because this is an unacceptable situation for families, in a time of great grief, to have to deal with.

P.O. LINDSAY:

I have a question for Budget Review. Do we have any vacancies in the Medical Examiner's Office?

MS. VIZZINI:

There are only five Pathologists, one of whom is actually the Medical Examiner, all of which are filled. The manner in which this resolution addresses this problem is to increase per diem salaries. Rather than hire another person with the associated costs of benefits, etcetera, it increases their per diem salaries so that they can bring perhaps a retired Pathologist in or a doctor in who would be willing to work the weekend shift that is currently ••

LEG. ROMAINE:

Not covered.

MS. VIZZINI:

•• uncovered.

P.O. LINDSAY:

Do you recall this coming up in the working group? Because it escapes me.

MS. VIZZINI:

This came forward at the committee meeting, the committee meetings where we addressed the Operating Budget.

P.O. LINDSAY:

Oh, okay, but it didn't come up in the working group.

MS. VIZZINI:

So we were already well into the discussion.

P.O. LINDSAY:

Okay.

LEG. LOSQUADRO:

Mr. Chairman, if I may?

P.O. LINDSAY:

Yes.

LEG. LOSQUADRO:

I remember this was raised in the working group but not a great deal of time was spent on it, but I do recall it being raised. Unfortunately, it may not have gotten the attention it deserved, but my comments stand.

P.O. LINDSAY:

Legislator Nowick.

LEG. NOWICK:

Yeah, this is one of those in the stand•alones that I would have to give serious consideration to because •• and I always said if this ever came up that I would try to do something to fix it.

Just so you know what it is, and it does sound like something you might want to laugh at, and I had first•hand experience with this office. The problem is when someone passes away and you need to have a toxicology report, that doesn't come maybe for six months. One, there's a widow probably waiting, unfortunately, for an insurance policy to pay for the home that she's living in because the mortgage companies don't wait. They wait for this toxicology report, you can't get your life insurance unless you put cause of death; you can't put cause of death unless you get this document. So this would be one of those that I would say please seriously consider.

LEG. D'AMARO:

Mr. Chairman, just if I may?

P.O. LINDSAY:

Yes, Legislator D'Amaro.

LEG. D'AMARO:

Thank you. I just wanted to ask BRO about the offset here. Because I see as we go through the stand•alones that, of course, we're always stating an offset and I believe that would be required to keep the budget in balance, and this particular one is offset with an increase in the 2006 estimated revenue from other indirect costs. And what I wanted to ask the Budget Review Office is whether or not the Omnibus bill relied on an increase in the same projection on indirect costs.

MS. VIZZINI:

All the offsets that are used in this stand•alone do not conflict with the Omnibus.

LEG. D'AMARO:

Not conflict, but do they ••

MS. VIZZINI:

We didn't use it.

LEG. D'AMARO:

We didn't use them in the Omnibus at all.

MS. VIZZINI:

Not this particular revenue item.

LEG. D'AMARO:

Okay. Can I ask why, why this would not have been used in the Omnibus as an offset?

MS. VIZZINI:

The Budget Review Office came in with our recommended revenue enhancements. The only two of the •• in the entirety that were accepted by the group were the \$5.4 million for the transportation and a very modest grant or something that was not shown in in the budget for the Police District; the rest were basically dismissed as not enough money or needed in

terms of what Omnibus was looking to accomplish.

LEG. D'AMARO:

Okay. And just •• I'm not going back to any other bills, but I see there are, of course, other offsets in the prior bills that we just took a vote on, one increases sales tax, etcetera. Wasn't there •• there was an increase in sales tax projection, though, in the Omnibus, wasn't there?

MS. VIZZINI:

Yes, point two five percent.

LEG. D'AMARO:

Okay. So my question is some of these offsets were not used in the Omnibus bill, some were. If the projections with respect to the offsets do not come to fruition, what would be the effect?

MS. VIZZINI:

Well, since this is ••

P.O. LINDSAY:

Well, I could answer one of them. The enrichment of the sales tax revenue, the point two five that Budget Review thinks is going to materialize, that money was put into pay•as•you•go.

LEG. D'AMARO:

Right.

P.O. LINDSAY:

So it won't be spent.

LEG. D'AMARO:

Okay.

P.O. LINDSAY:

It won't be spent unless the revenue is there.

LEG. D'AMARO:

Right. So that •• that's exactly my understanding of it also.

What I'm asking, though, is what is the impact if the projection doesn't come through, whether we can't fund pay•as•you•go or whether we wanted to hire

the additional Police Officers that we voted on or whether we wanted to hire temporary •• provide funding for temporary salaries? If that's in our budget and the projections do not materialize, how would we come up with that revenue?

P.O. LINDSAY:

And if you'll allow me, I'll answer that, too. In the Operating Budget that we just passed is \$20 million that's put into a Debt Reserve Account and I think that could be used as an offset to fund any holes that we didn't anticipate.

LEG. D'AMARO:

So we'd have to reexamine the priorities on the offsets and determine how to fund this •• each particular stand•alone or whatever funding revenue fell short.

P.O. LINDSAY:

Well, we haven't passed any stand•alones yet.

LEG. D'AMARO:

No, no, I'm saying but we •• well, we're voting on them now, so.

P.O. LINDSAY:

We're voting on them, right, but we haven't passed any.

LEG. D'AMARO:

My point is that if the budget already sets all of our priorities and the Omnibus Budget or amendments reestablish our priorities as a Legislature and then we act on stand•alones, if the projections fall short on a stand•alone we either have to do one of two things; we'd have to reexamine again our priorities in our budget, or we would have to raise the revenue somewhere else.

MS. VIZZINI:

Well, the most likely scenario is, you know, any revenue that's in the budget doesn't come to fruition in the precise amount that's in there. The fund balance at the end of 2007, and there will be a fund balance at the end of 2007, will be short whatever that shortfall is.

LEG. D'AMARO:

So the fund balance is normally passed on to the next year's budget, correct?

MS. VIZZINI:

Yes.

LEG. D'AMARO:

So if we pass on less, that could have an impact in the following year; is that correct?

MS. VIZZINI:

That's poss •• that's a plausible outcome. You know, the same thing on the expenditure side.

LEG. D'AMARO:

Uh•huh.

MS. VIZZINI:

We would •• the County Executive has to control expenditures, so everyone, including the Budget Review Office, is watching revenue through the year.

LEG. D'AMARO:

And I know Budget Review Office is giving their best projections and I appreciate that, but we also have to be a little careful in what if we don't meet those projections, what is the impact going in to the next year? And we would have to raise that revenue with a smaller fund balance, perhaps through an increase in taxes.

MS. VIZZINI:

Or control expenditures as you go through the year.

LEG. D'AMARO:

Thank you.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

In addition to what Legislator D'Amaro is bringing up, the fund balance actually is a transparency issue. Because if you put in a document, which we just passed an Omnibus a little while ago, and state to the people of Suffolk

County that we're going to spend your money this way, and the taxes that come in are their money, so we're going to spend it this way and then 130 million of that we didn't spend the way we told them because we had that left over, that raises a big issue of transparency. And that's something that I think that we asked for and hopefully we'll be working on that throughout the next year, how to eliminate a fund balance or get it down to something that's a little bit more palatable to the people of Suffolk County. Because when you tell them •• like for instance, I'll give you one line that seems to kind of glare. If you tell them you're going to spend "X" number of millions of dollars on salaries and then each year you continue a pattern of not spending 20, 22 million, 15, 18 million, that's sort of like •• you know, not that you're lying to the people, but you're not really giving them a true story of what's going on.

So I think that in addition to the concerns and the very valid concerns raised by Legislator D'Amaro, the transparency •• because that's what it leads into, the issues he raised •• the transparency issue between us and trust by the people of Suffolk County. We really do have an obligation to deliver to them something that's truthful, a document that's truthful as far as the pending. And therefore, you get into the argument about even the \$20 million for Debt Stabilization. Now, do we need 20 million? Because then you can ask the question, how much money did we put in that last year and the year before? And if it's money that we didn't use for debt stabilization, then we haven't been forth right with the people of Suffolk County, with the people that elect us and put their trust in us. And this year it looks like we did what we did in past years and that's create a huge fund balance, for what reason? And you were right on the money with this, Lou; what is the reason for that \$20 million sitting there with no apparent purpose? That's some questions we have to ask.

P.O. LINDSAY:

Getting back to the issue at hand and that's the Medical Examiner's Office, I just want to make a statement, that I'm going to vote against this but I will look at it at a future date, especially after we have a new Medical Examiner. We've been interviewing candidates for Medical Examiner, I believe we're very close to making the choice on a new •• did we make a choice? I don't think so, not yet.

LEG. LOSQUADRO:

Not that I know of; it would be news to me.

P.O. LINDSAY:

But we're very close to making a choice and I would like the person that operates that department to make this recommendation to see if it's workable and then I would be supportive of it. If there's no other comments on this, roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAIN:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

Yes.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Six.

P.O. LINDSAY:

Okay. ***13, provides an increase of \$37,650 in the mandated • •***

LEG. LOSQUADRO:

Isn't this the other half?

LEG. ROMAINE:

Withdraw.

P.O. LINDSAY:

Withdraw, okay.

14, This resolution provides \$60,000 to the contract agency University ALS to provide for a full•time equivalent Console Operator to handle on•line medical control contacts between field providers of

the Emergency Medical Services and SUNY at Stony Brook Hospital (Alden).

What's your pleasure?

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

There's a motion to approve. Do I have a second?

LEG. ROMAINE:

For the purposes of discussion, I'll second the motion.

P.O. LINDSAY:

We have a second. On the motion, does anyone want to speak on this?
Legislator Alden.

LEG. ALDEN:

If you just finish the call on this, this actually implements the only staffing recommendation in the BRO Report for Health Services that was not included in the Omnibus Budget Amending Resolution. It's offset by an increase in State aid for HAVA training.

P.O. LINDSAY:

Legislator Kennedy.

LEG. KENNEDY:

Yeah, I have a question for the sponsor. This service, is this service that's provided for all fire department and ambulance agencies throughout the County?

LEG. ALDEN:

I'm going to defer to Budget Review because it's their recommendation that this funding be put in place.

LEG. MONTANO:

May I ask a question?

P.O. LINDSAY:

Go ahead, Legislator Montano.

LEG. MONTANO:

Yeah, just reading what you said, it says, "The action implements the only staffing," blah, blah, "That was not included in the Omnibus." But the question is was it discussed in the Omnibus? Just a yes or no will do.

MS. VIZZINI:

Yes, it was.

LEG. ALDEN:

Yeah, we didn't have time and we •• right.

LEG. LOSQUADRO:

Can Gail address this?

LEG. KENNEDY:

Can I get a •• Mr. Chair, I guess?

P.O. LINDSAY:

You want to hear from Budget Review, right?

MS. VIZZINI:

Oh, you want an explanation as to exactly what this is.

P.O. LINDSAY:

Yes.

LEG. KENNEDY:

Sure.

MS. VIZZINI:

I'm going to defer to Mr. Ortiz.

P.O. LINDSAY:

And this was discussed?

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Briefly.

MS. VIZZINI:

This was one of our recommendations, sir, when we went through the BRO recommendations, this was one of them.

MR. ORTIZ:

The Console Operator answers 24/7 hotline from EMS personnel, you know, ambulance; if there's an accident, we have somebody that's injured, they call the hospital, they get a doctor on the line immediately, tell the EMT what to do. They have two Console Operators right now, they need a third. The program actually is quite fabulous, but they do need a third Console Operator.

LEG. KENNEDY:

Through the Chair?

P.O. LINDSAY:

Yes.

LEG. KENNEDY:

So John, if I can, then in other words an ambulance service anywhere throughout the County, whether we're talking about in my district or any of the 18 districts, if there's some kind of medical interaction that's needed or some kind of guidance for the volunteer personnel, this physician is giving that to them over the phone.

MR. ORTIZ:

County•wide.

LEG. KENNEDY:

Okay, thank you.

P.O. LINDSAY:

Are there any vacant positions in EMS?

MR. ORTIZ:

No.

MS. VIZZINI:

EMS is actually fully staffed. This is contracted rather than a full•time; not a County employee. It's cheaper this way.

P.O. LINDSAY:

Any questions? Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ALDEN:

Yes.

LEG. ROMAINE:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

(Not present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Four.

P.O. LINDSAY:

15, this resolution provides \$16,000 for a Student Internship Program • •

LEG. ROMAINE:

Mr. Presiding Officer?

P.O. LINDSAY:

Yes?

LEG. ROMAINE:

I'd like to withdraw 15 and 16.

P.O. LINDSAY:

Thank you.

17, adds \$25,862 for two Auditor positions in the Budget Review Office to conduct management audits, improve budget presentation and assist with contract agency audits and member items (Alden).

LEG. MONTANO:

What number is this?

P.O. LINDSAY:

17.

LEG. LOSQUADRO:

15, 16 and 17?

D.P.O. VILORIA•FISHER:

No, 15 and 16 were withdrawn.

LEG. MONTANO:

Oh, I didn't know.

P.O. LINDSAY:

Legislator Alden, what's your pleasure?

LEG. ALDEN:

Motion to approve.

P.O. LINDSAY:

We have a motion to approve. Is there a second?

LEG. ROMAINE:

Second.

P.O. LINDSAY:

On the issue, any questions? Yes, Legislator Romaine.

LEG. ROMAINE:

A question for Budget Review. Obviously this is a resolution that Legislator

Alden drafted that would impact your office; could you comment on your need or whether this would be beneficial for your operation?

MS. VIZZINI:

Actually, quite candidly, my understanding of what the Legislature wants to accomplish with the auditors, my initial reaction would be perhaps the auditors might be better placed in Audit & Control. However, in anticipation of the creation of the Contract Agency Compliance Unit, the absorption of the member items and if you want more staff audits of particular contract agencies to augment what the Comptroller already does, it will certainly be an impact on us, so additional staff would be helpful from that point of view.

LEG. ROMAINE:

A follow-up, quick question, Mr. Presiding Officer. Do you believe that these two Auditor positions would in any way save this County money?

MS. VIZZINI:

It's hard to quantify. I mean, you know, this is probably an expenditure of somewhere in the neighborhood of \$80,000 in salaries. In the long run, I think most auditors do assist in fiscal accountability and perhaps could lead some recoveries, but I don't know that that would be their primary focus in Budget Review; if they're in Audit & Control, maybe.

P.O. LINDSAY:

I just want to comment first and then I'll give you the mike, all right?

LEG. ALDEN:

Well, actually, you don't even have to comment. In light of what Budget Review said, ***I'm going to withdraw this*** and we'll deal with it as we go along, when and if we bring the contract agency over here.

P.O. LINDSAY:

And I appreciate that because I've made it known in this budget, the Executive in his scenario stated that it cost him \$7,000 to audit a \$500 grant to a community group, and my thought was that we could do that cheaper here with a lot of in-house staff and really free up money. And I didn't want to add any additional staff here until we know what we have and what we need.

LEG. ALDEN:

Good idea.

P.O. LINDSAY:

So withdrawn.

D.P.O. VILORIA • FISHER:

Good.

P.O. LINDSAY:

18, Increases the 2007 salary of the Minority Caucus Leader by \$9,288 to equal the salary of the Deputy Presiding Officer.

LEG. BARRAGA:

On the amendment.

P.O. LINDSAY:

On the amendment, Legislator Barraga.

LEG. BARRAGA:

I realize the sensitivity associated with an amendment like this which increases the salary of any member of the Legislature, but I offer this amendment because I think there's an inequity that exists associated with the position of Minority Leader in this Legislature.

When someone is voted to take that particular position, he or she takes on a great deal of additional responsibility. I mean, I think you saw some of that today in terms of the interaction of the Minority Leader with the Presiding Officer with reference to this Omnibus Budget. In addition, there's a great deal of problems that usually come up or challenges from individual members where they go to the Minority Leader for help and assistance. And of course, at times the Minority Leader has to deal with the County Executive's Office.

In the State Legislature, the Speaker is the highest paid elected official in the chamber. The second highest paid individual is the Minority Leader, in recognition of that person's additional responsibilities. We do not have that here; you should have it.

It's like going in to the private sector and saying to five managers, "I'm going to pick you," one of five and you would become the senior manager and you're going to have all these other people reporting to you and a lot of additional work but no extra stipend, no extra salary. There's an

inequity associated that doesn't •• shouldn't exist here. If you're going to become Minority Leader, out of respect, all right, for that position, there should be a differential in pay between what that Minority Leader gets and what a regular member gets.

And this is nonpartisan, you know. I mean, in the future the one party or the other, depending upon circumstances, you can find yourself being a Presiding Officer one day and a Minority Leader the next day, but I have a feeling if you're Presiding Officer one day, Minority Leader the next day, you're probably doing still a lot of the same things for your particular caucus. So I know it's a sensitive issue but it's something I think we should deal with. I mean, it costs \$9,200, it brings the salary up to what the Deputy Presiding Officer is currently making. I think out of fairness and equity this should pass. Thank you.

P.O. LINDSAY:

Thank you, Legislator Barraga. Legislator Cooper, you want to weigh in on this? And you wanted to comment?

LEG. MONTANO:

No, I'm going to let Jon do it.

LEG. COOPER:

I have to admit that there's a very small part of me that wants to ask Legislative Counsel if this could be amended to include me. But for the record ••

P.O. LINDSAY:

And what do you want the additional money for, the copay on the psychiatric consult?

LEG. COOPER:

Your words, not mine. But for the record, the only additional remuneration that I need as Majority Leader is the friendship and respect of my colleagues. And I'm sure that if you ask the Minority Leader, he would say the same thing.

LEG. LOSQUADRO:

Then you're a very poor man.

LEG. MONTANO:

You have it, but no money.

LEG. COOPER:

That's it.

P.O. LINDSAY:

Does anybody else want to comment, weigh in on this? Okay, roll call.

MR. LAUBE:

I need a motion and a second.

P.O. LINDSAY:

We have a motion from Legislator Barraga?

LEG. BARRAGA:

Yes.

P.O. LINDSAY:

Do we have a second? You're not going to second that, Legislator Losquadro?

LEG. LOSQUADRO:

I •• Mr. Chairman, even though we don't have a second, I •• if my colleagues would vote for it, that's one thing, but I voted •• I had said that I would not vote for a raise on myself under any circumstances, so I'm going to be abstaining on this.

LEG. MYSTAL:

I'll second it.

LEG. BARRAGA:

Can I make one comment?

P.O. LINDSAY:

You have a second in Legislator Mystal. Yes, go right ahead, Legislator Barraga.

LEG. BARRAGA:

With all due respect to Mr. Losquadro, this has nothing to do with Mr. Losquadro as an individual. This has everything to do with the position,

everything with regard to the position.

P.O. LINDSAY:

Anyone else want to weigh in? Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. BARRAGA:

Yes.

LEG. MYSTAL:

No.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. ALDEN:

Pass.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Abstain.

LEG. CARACAPPA:

(Not present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

LEG. ROMAINE:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

As a former Minority Leader, can I abstain, too? No.

LEG. BROWNING:

If it passed, you want retro?

LEG. LOSQUADRO:

Spoken like a union woman.

MR. LAUBE:

Three.

P.O. LINDSAY:

Okay. **19 • •**

LEG. BARRAGA:

Is this the only vote where all you need is three votes for it to pass?

LEG. LOSQUADRO:

Budget Review?

P.O. LINDSAY:

Super minority that's called. ***This resolution provides \$1.5 million to finance mental health initiatives to reduce jail overcrowding these funds would be used to issue an RFP follow through on review process to determine a contract agency to provide fashion year funding for the appropriate mental health initiatives.***

LEG. KENNEDY:

Mr. Chair, let me save time, there's no need to go ahead and read all of them. If I can, if I can speak to this Budget Amendment and to 20 as well?

P.O. LINDSAY:

Go right ahead.

LEG. KENNEDY:

Thank you, Mr. Chair. I introduced these because I felt very strongly that there had been a tremendous amount of discussion that went on with the budget working group and the budget about the characterization of funds that had been received by the County during the course of the year, including the 621 money and presentations that we had throughout the year from the Sheriff, our own observations, Legislator Eddington's tour that he recently hosted for us out in the jail. And clearly and absolutely, in my mind and I think in many of my colleagues, there's a significant issue regarding mentally ill individuals who are inappropriately housed in the jail. Yourself and I, as a matter of fact, have had conversations on this as well.

I do not choose to politicize this group, though. And while several individuals have chose to have conversation with me about this, the Chair of the Health Department had an earnest conversation with me just a short while ago, to the Health Committee, yes. And in deference and respect to his suggestion and a desire to work in a bipartisan fashion to get something done, ***I'll withdraw 19 and 20 now.***

P.O. LINDSAY:

Thank you.

LEG. MYSTAL:

Thank you.

P.O. LINDSAY:

21, adds \$50,000 for a Sunday bus program. The action is offset with an increase in revenue from Treasurer's interest savings.

LEG. SCHNEIDERMAN:

Legislators, it is over time for Sunday bus service in Suffolk County. As you know, with the growing demand, particularly out on the east end, I've been working to try to provide until that service arrives, which I hope is in the not •too•distant future, a temporary van•type of service through a grant with United Veterans.

Some of my colleagues have raised some concerns about the group providing the grant and running this, so I will wait and hold off.

But I do hope to work in a bipartisan fashion, particularly in my district where in the summertime there's a tremendous need on Sundays, and this is hurting the economy which is important to our County, particularly in light of falling sales tax revenues. I really think that this is the best approach, the cheapest approach and I hope you'll work with me so that next summer we can get some type of job•to•work •• I'm sorry, job access transportation service going. But for now,

I will withdraw No. 21.

LEG. LOSQUADRO:

And 22?

LEG. SCHNEIDERMAN:

And 22 which is the companion.

P.O. LINDSAY:

Okay, thank you.

23, add \$250,000 in overtime salaries for temporary realignment of lanes during morning rush hour •• rush period on County Road 39.

LEG. SCHNEIDERMAN:

Again, the cone project has been extremely successful, it's made a fundamental difference out on the east end; anyone who works out there knows how successful that project is.

BRO's report pointed out the fact that it was not shown as funded in the budget and that could not happen without funding. This is an attempt to

show the funding, it's been coming out of DPW overtime. The Acting Commissioner is here and he's assuring me that there is adequate money in the overtime line, he believes, to cover the project and is committed. And if I could just on the record, Mr. Anderson, because this is so fundamentally important to my district, if you could step forward •• if I could, through the Chair •• and get that commitment to this project.

MR. ANDERSON:

Legislator Schneiderman ••

MR. LAUBE:

It's not on.

MR. ANDERSON:

There we go, okay. Legislator Schneiderman, the County Executive and the Department of Public Works has committed to doing the project. The County ••

LEG. SCHNEIDERMAN:

Will the dates match Southampton's dates, April 1st through mid November?

MR. ANDERSON:

I can't really speak for April 1st. But weather depending, a lot of conditions are going to impact that, but we are intending to restart the project in April ••

LEG. SCHNEIDERMAN:

Okay.

MR. ANDERSON:

•• I can say that, and we will extend it through November.

LEG. SCHNEIDERMAN:

Now, my concern with your overtime line would be if we get a snowy winter and the plows are running all over time, that could exhaust your funds. In fact, I worked with Mr. Sabatino on the offsets here, I'm thinking that this was the right thing to do. But if you are convinced that this project will happen without the necessity of passing this resolution, then I will withdraw it. So that is what you're saying.

MR. ANDERSON:

It is my understanding that we will get the money for the project, one way or the other.

LEG. SCHNEIDERMAN:

Okay, then ***I will move to withdraw it.***

P.O. LINDSAY:

25, provides an increase of 13 ••

MR. LAUBE:

24.

P.O. LINDSAY:

Oh, I'm sorry, I skipped one.

24, \$25,000 to fund the Hauppauge Industrial Association (HIA) at 2006 adopted level for their annual trade show. What is your pleasure, Legislator Kennedy?

LEG. KENNEDY:

Well, I think that actually, Mr. Presiding Officer, 24, I believe 24 and 25 are partnered up because I guess the offsets come from mandated and from discretionary; is that correct?

P.O. LINDSAY:

Okay.

LEG. KENNEDY:

Okay. Again, I'm going to go back to some of the things that I guess we've talked about across the board. I guess I'll talk a little bit about the working committee process itself. I was there briefly for some of the deliberation, but there was a limit as to the number of Legislators who could be involved at any one point. And I know this matter was considered by the committee and was •• I guess, I have to assume there was a decision not to do a restoration on this when the Executive's original budget had taken it out.

This annual trade show brings in several hundred vendors from throughout the country and is hosted over at the Suffolk Community College in the

springtime, and it's sponsored by the HIA which represents over 50,000 employees in the industrial park. I believe that it's something that ultimately winds up being a huge infusion of sales tax and items such as that in the County, and so I think it's one of those examples of spending money to make money.

So I'd make a motion to approve.

LEG. LOSQUADRO:

I'll second that motion.

P.O. LINDSAY:

Okay. And I do recall this being discussed in the working group and just to share some of the discussions. First of all, I believe the dates of the working group were made available to every Legislator whether they were on it or not. There is certainly the open meeting rule so we never have more than nine people in the working group at a time, but that's accommodated by people switching off to stay within the open meeting rules.

I believe the issue here was really twofold. Number one, that this trade show is something that makes money for the association, that booths are sold and it's quite successful. And the question I think that the working group was pondering at a time in a very, very tight budget that we were prioritizing things whether we wanted at as a priority to subsidize a money•making trade show as opposed to funding something else that's needed, you know, in our community like funding our health centers or such.

The other •• the second issue was that, you know, this was to our knowledge, looking over the budget •• and maybe Budget Review can correct me •• was the only trade show that we were funding in the County. And there is numerous other trade shows throughout Suffolk County and that was a question that was brought up in these discussions as well. So just to bring you up•to•speed on the two issues.

LEG. KENNEDY:

Again, I appreciate the perspective, Mr. Chair. You know, as I said, my rationale for going ahead and introducing it was because part of it was the belt and suspenders concept, not being quite sure whether or not it was going to be included in the Omnibus process. And what I am going to suggest is while I will ask my colleagues to go ahead and vote on 24 and 25, I will at this point defer and I'll withdraw 26 and 27 since those are items that

I guess we can look at as being an issue that's clearly germane to the 12th Legislative District. Nevertheless, I'd ask my colleagues to go ahead and cast a vote on 24 and 25.

P.O. LINDSAY:

Anybody else want to speak on 24 or 25? I'm going to take a roll call vote on 24 and then whatever it is we'll do the same motion, same vote, same second on 25; is that agreeable with everybody?

MR. LAUBE:

I need a motion and a second for 24.

LEG. KENNEDY:

Motion to approve.

LEG. LOSQUADRO:

I seconded that.

MS. ORTIZ:

We did, we got it.

P.O. LINDSAY:

Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. KENNEDY:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

Yes.

LEG. BARRAGA:

No.

LEG. ALDEN:

No.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. CARACAPPA:

(Not present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Five.

P.O. LINDSAY:

Okay. As far as 25 is concerned, same motion, same second, same vote.

28, this resolution adds \$5,000 for the East End Economic Environment Institute.

LEG. SCHNEIDERMAN:

I'm going to withdraw 28 and 29.

P.O. LINDSAY:

Okay, we're up to ***30, adds \$10,199, (2% over the 2007 recommended amount) to restore the Peconic Community Council's Maureen's Haven initiative.***

LEG. ROMAINE:

Motion to approve.

LEG. SCHNEIDERMAN:

Second.

LEG. ROMAINE:

By way of explanation ••

LEG. MYSTAL:

No, let's vote.

LEG. ROMAINE:

•• these are people that take up ••

LEG. SCHNEIDERMAN:

Did you get my second? Second.

MR. LAUBE:

Yes.

LEG. ROMAINE:

This is a program that takes homeless people off the streets and provides them shelter. This program actually saves the County money because if the

County was doing it, it would cost a great deal more and obviously we would have some obligation to deal with homeless people. That's why I'm sponsoring it, because in the long run it saves the County a great deal of money. We heard a speaker earlier today on that item.

P.O. LINDSAY:

Anybody else want to comment on this?

LEG. LOSQUADRO:

Just a question?

P.O. LINDSAY:

Yes, Legislator Losquadro.

LEG. LOSQUADRO:

What is their current budget, in '07 recommended? I mean, I guess I could do the reverse math.

LEG. ROMAINE:

Right, you would do the reverse math.

LEG. LOSQUADRO:

41,000, Madam? I was going to say, Madam Clerk; my apologies, Gail.

MS. VIZZINI:

Forty•one thousand.

LEG. LOSQUADRO:

Forty•one thousand. Okay, thank you.

P.O. LINDSAY:

Anything else? Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

No.

LEG. ALDEN:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Four.

P.O. LINDSAY:

31, provides an increase of 5,640 • •

LEG. ROMAIN:

Mr. Chairman, ***I'd like to withdraw 31.***

P.O. LINDSAY:

Thank you.

32, adds \$50,000 to reimburse certain ambulance districts for the transport of inmates from the jail to the hospital. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Legislator Browning and I have a bill that will effectively reimburse the volunteer ambulances who do transport of prisoners to hospitals. This is in preparation, should that bill pass, to provide money in the Sheriff's budget. Now, I know Sheriff DeMarco is here, Sheriff Otto is here, and earlier Sheriff DeMarco had assured me that there was ample funds in his budget, he felt, to cover this should this bill pass. Maybe Chief Otto or somebody could affirm that on the record, if that's possible, through the chair?

P.O. LINDSAY:

Chief Otto, I appreciate you coming to the mike without even glancing back at the Sheriff.

LEG. BROWNING:

Yes, he did.

CHIEF OTTO:

You live dangerously, you know? Yes, we had a conversation and we believe that with a little bit of extra research we should be able to cover these costs for 2007 and we'll work something out with the Legislator.

LEG. SCHNEIDERMAN:

I appreciate that.

P.O. LINDSAY:

Thank you.

LEG. SCHNEIDERMAN:

With that in mind, ***I'll withdraw No. 32.***

LEG. ROMAINE:

And 33.

LEG. SCHNEIDERMAN:

And 33. Thank you, Chief.

P.O. LINDSAY:

Thank you.

34, adds ••

LEG. D'AMARO:

Mr. Chairman, I would like to withdraw, with the Chair's permission, Nos. 34 through 45.

LEG. MYSTAL:

You are a gentleman and a scholar for doing that.

P.O. LINDSAY:

No. 46, increase revenue from audit recoveries by \$400,000 as recommended by Budget Review Report. This action reduces General Fund property taxes by the same amount.

LEG. ROMAINE:

Motion.

LEG. ALDEN:

Second, cosponsor.

LEG. MYSTAL:

To withdraw, no? Motion to withdraw?

LEG. ROMAINE:

Motion to approve.

LEG. MYSTAL:

Oh, I thought you said motion to withdraw, I'm sorry.

LEG. ROMAINE:

No, no, this cuts taxes.

P.O. LINDSAY:

Okay, we have a motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

And a second by Legislator Alden. What is a computation of \$400,000 amount on a tax bill, do we know? It's hard to tell, average?

LEG. MYSTAL:

Roll call.

P.O. LINDSAY:

I'm asking a question.

LEG. MYSTAL:

Oh, I'm sorry. Two cents per property.

MR. NOLAN:

It's 68 cents.

P.O. LINDSAY:

Oh, I'm sorry, we have it on the motion, it's 68 cents.

LEG. ALDEN:

Add that to Levy's 42 cents.

P.O. LINDSAY:

Roll call.

LEG. ROMAIN:

We're getting somewhere.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAIN:

Yes, to cut taxes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No on 68 cents.

LEG. HORSLEY:

No.

LEG. NOWICK:

No to 68 cents.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

Abstain.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Four.

LEG. ALDEN:

Can I have just a quick inquiry?

P.O. LINDSAY:

Yes, Legislator Alden.

LEG. ALDEN:

Budget Review, the earlier vote that we took on I guess it's the Omnibus, it had a tax decrease also of, what was that, one point two million, something like that? I just want to find out what that is per household also so I can measure.

P.O. LINDSAY:

It should be about \$2 if you multiply it out.

LEG. ALDEN:

Ooh. Can you give me ••

LEG. MONTANO:

Control yourself.

LEG. ALDEN:

I'm trying to, but that's exciting.

MS. VIZZINI:

Two dollars and sixteen cents.

LEG. ALDEN:

How much?

MS. VIZZINI:

Two dollars and sixteen cents.

LEG. ALDEN:

Oh, man, all right.

LEG. MONTANO:

You almost made it three.

P.O. LINDSAY:

I had an uncle who said, "If it doesn't fold it don't count."

Okay, **47, Increases Fund 016 commission revenue by \$670,000, it is recommended in the BRO report. This action results in a decrease of interfund transfers and property taxes of \$384,312 in the General Fund and 285,688 in the Police District.** Do I have a motion?

LEG. ROMAINE:

Motion to cut taxes.

LEG. ALDEN:

Second, cosponsor.

P.O. LINDSAY:

On the issue, anybody want to weigh in on this?

LEG. ROMAINE:

This one has got to be over a buck.

P.O. LINDSAY:

Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

Nope.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Three.

P.O. LINDSAY:

Okay. What are we up to, 48?

LEG. MYSTAL:

Forty • eight.

P.O. LINDSAY:

In the conflict we didn't vote for six either, so it's still alive. ***Increase RPTSA tax map fees by \$750,000 as recommended by a BRO Report. This action reduces General Fund property taxes by the same amount.***

LEG. ROMAIN:

Motion to approve; this will reduce General Fund property taxes.

LEG. ALDEN:

Second, cosponsor.

P.O. LINDSAY:

Okay.

LEG. D'AMARO:

On the motion, Mr. Chairman?

P.O. LINDSAY:

On the motion, Legislator D'Amaro.

LEG. D'AMARO:

Just very quickly. Again, to clarify my mind, the sources of the revenue, I would like to ask BRO if the projections do not come to fruition, that it would have no impact on property taxes; is that accurate?

MS. VIZZINI:

Well, the impact would be on the magnitude of the fund balance.

LEG. D'AMARO:

Because the item, the revenue stream would have to be accounted for is what you're saying? In other words, if we adopt this particular bill, it anticipates fees of \$750,000 more, if those fees do not materialize throughout the year we have to account for that by reducing the fund balance which means reducing less giving back to the taxpayers next year.

MS. VIZZINI:

Yes, or cutting expenditures in '07.

LEG. D'AMARO:

Thank you.

LEG. ROMAINE:

Mr. Chairman?

P.O. LINDSAY:

Legislator Romaine.

LEG. ROMAINE:

If this passed, how much would each taxpayer save on their annual tax bill, property tax bill?

LEG. ALDEN:

Hold on.

MS. VIZZINI:

A dollar twenty•eight.

LEG. ROMAINE:

Thank you. By the way, had all of these passed, we ••

LEG. ALDEN:

Four dollars.

LEG. ROMAINE:

Right, \$4 would be saved on everyone's tax bill, far greater than we saved in the Omnibus. All of these under my name are reductions of overstated revenues that were in this budget, they're all Budget Review recommendations, if they were all adopted as Budget Review has recommended we would save \$4 a household, we're saving almost half of that in the Omnibus. These resolutions taken as a whole would cut property taxes not by a tremendous amount, but by enough for this Legislature to stand up and say to a County Executive that has issued a press release attacking all Legislators for increasing spending or taxes or whatever we hid did on Friday, that, in fact, we could cut just a little bit more from what the Budget Review nonpartisan office has recommended. If we had followed their recommendations, there would be \$4 more per household on the average of a property tax cut; not tremendous, but certainly going in the right direction.

LEG. D'AMARO:

Mr. Chairman, if I may?

P.O. LINDSAY:

Before you go, I just wanted to add something to what Legislator Romaine has said. This is the third budget in a row where we've cut property taxes to the point where the amount of our revenue raised from real estate taxes is very low and it's to the point that it's of serious consequences, especially if sales tax should take a real dive in this County. We're depending way too much on sales tax and way too little on real estate taxes and we have cut them three times in a row, three years in a row and truthfully, I think that's a dangerous path without increasing it anymore. Legislator D'Amaro.

LEG. D'AMARO:

Yeah, thank you. And just to pick up on that, I also feel that I would like to support the tax cuts as well; however, I also at the same time don't want to mislead the taxpaying public. The reason why I voted for the Omnibus bill and the revenue streams introduced in that bill is because I believe even the working group agreed that they were real and would materialize. These five revenue streams were, in fact, rejected by the working group and I think it's disingenuous to tell taxpayers, "We're cutting your taxes \$4 per person," when, in fact, this entire working group rejected these revenue streams.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

I thought that they were rejected by the working group because we wanted to provide a little bit of a head start for the County Executive to build up his surplus that goes to the bottom line every year. Otherwise, we would have been a little more honest then and if there is a question then we should have removed it from the budget. But I think that we actually built in some surplus, that's why these were rejected. No, you want to go that route, then go that route.

LEG. ROMAIN:

Mr. Chairman, if I can call on Budget Review. Budget Review Office made these recommendations, I didn't dream these up. Gail, are these real revenues that will transpire; are your recommendations, your office's recommendations real or not real?

MS. VIZZINI:

Revenue projections, Legislator Romaine, are more an art than a science.

LEG. ROMAINE:

Understood.

MS. VIZZINI:

We use historical trends, we use year•to•date, we do have a few more months of data than the Budget Office. And in all fairness, although we did absolutely recommend these revenue enhancements, there were many expenditure increases that we also recommended that the working group took into consideration but did not embrace in their entirety and some they did embrace but only for a portion of the year.

So I would personally be delighted if we can have a budget to address all the needs identified by the Budget Review Office, but as the policy makers, you choose what revenue you are going to go along with and what expenditures you're going to go along with.

LEG. ROMAINE:

Thank you.

P.O. LINDSAY:

Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

Nope.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

Nope.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Three.

P.O. LINDSAY:

Okay. ***49, increases the 2006 and 2007 General Fund discretionary revenue by \$402,993 from three revenue sources, per BRO report.***

LEG. ROMAINE:

Motion.

P.O. LINDSAY:

Motion.

LEG. ALDEN:

Second.

P.O. LINDSAY:

Second. I'd like to just comment on this a little bit, and it kind of goes along with what Budget Review was talking about. We had a laundry list in the working group of potential revenue sources that Budget Review identified, we took some of them, we didn't take the others for a couple of reasons; we wanted to error on the side of caution rather than spend too much money and then wind up trying to make up money next year.

And truthfully, I think everybody felt comfortable with what we did was a conservative approach •• I'm talking about the working group, not the County Executive •• and, you know, to build in a little cushion, too, for unanticipated expenses and one of those expenses came to light right after the Budget Review were •• or right after the Omnibus working group broke up, and that is we got a •• I think on the last day we got a report that there could be a shortfall in the health insurance fund that we might need additional money in next year that wasn't anticipated in either the County Executive's scenario or in much of the talks of the working group, but we felt comfortable that there was enough built in to the Omnibus that could address unexpected shortfalls like that in the coming year. That's all I've got to say. Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Three.

P.O. LINDSAY:

No. 50, increase 2007 General Fund mandated revenue, Federal aid by \$103,090.

LEG. ROMAINE:

Motion.

LEG. ALDEN:

Second.

LEG. MYSTAL:

Roll call.

P.O. LINDSAY:

Roll call.

(* Roll Called by Mr. Laube • Clerk *)

LEG. ROMAINE:

Yes.

LEG. ALDEN:

Yes.

LEG. COOPER:

No.

LEG. D'AMARO:

No.

LEG. STERN:

No.

LEG. MYSTAL:

No.

LEG. HORSLEY:

No.

LEG. NOWICK:

No.

LEG. KENNEDY:

No.

LEG. BARRAGA:

Yes.

LEG. MONTANO:

No.

LEG. EDDINGTON:

No.

LEG. LOSQUADRO:

No.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

No.

LEG. SCHNEIDERMAN:

No.

D.P.O. VILORIA • FISHER:

No.

P.O. LINDSAY:

No.

MR. LAUBE:

Three.

P.O. LINDSAY:

And 51, it's conflicted; am I correct?

LEG. STERN:

Motion to withdraw.

P.O. LINDSAY:

Okay, it's conflicted in two.

Okay, that finishes the Budget Amendments.

Going back to the agenda, **5), To consider and vote on Home Rule Message No. 9 • Requesting the State of New York to authorize the County of Suffolk County to establish an Office of School Inspector General.** Do I have a motion?

LEG. ROMAINE:

Motion.

LEG. LOSQUADRO:

Do you want to make the motion?

LEG. SCHNEIDERMAN:

Second.

LEG. LOSQUADRO:

I was going to say either motion and cosponsor or second and cosponsor.

P.O. LINDSAY:

Okay; motion by Legislator Losquadro, I'll second the motion, or Legislator Schneiderman. I'll second the motion.

LEG. SCHNEIDERMAN:

Cosponsor as well?

P.O. LINDSAY:

Okay.

LEG. MYSTAL:

Cosponsor.

LEG. ALDEN:

Bill?

LEG. NOWICK:

Nowick.

LEG. ROMAINE:

Cosponsor.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

And I guess this is ••

MR. LAUBE:

Raise your hand if you'd like to cosponsor.

(* Hands were raised by Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Alden, Vilorio • Fisher, Kennedy, Nowick, Horsley, Mystal, D'Amaro, Stern, Cooper.)

MR. LAUBE:

It's everybody.

LEG. BARRAGA:

No.

P.O. LINDSAY:

Am I the sponsor on this?

MR. NOLAN:

Yes.

P.O. LINDSAY:

Oh, no wonder.

LEG. VILORIA•FISHER:

That's what he was saying.

P.O. LINDSAY:

I'm a little sleepy, that's all.

LEG. ALDEN:

Do we have to do this or can we just •• we have to ask New York to establish this position?

MR. NOLAN:

The Senate sponsor asked us to do a Home Rule Message, they said we need to do a Home Rule Message before they can move ahead Upstate.

P.O. LINDSAY:

Senator LaValle.

LEG. ALDEN:

Okay. Thanks.

P.O. LINDSAY:

Any other questions on this? Okay, all in favor? Opposed? Abstentions?

LEG. BARRAGA:

Opposed.

P.O. LINDSAY:

One opposition.

MR. LAUBE:

16 (Opposed: Legislator Barraga • Not Present: Legislator Caracappa).

P.O. LINDSAY:

6), To consider and vote on IR 2337 • • 2006, Accepting and appropriating additional 100% Federal grant funds passed through the New York State Division of Criminal Justice Services to the Suffolk County Department of Health Services for a DNA Capacity Enhancement Program.

LEG. LOSQUADRO:

Motion.

P.O. LINDSAY:

This is a CN.

D.P.O. VILORIA•FISHER:

It sounds good.

P.O. LINDSAY:

Okay, motion and a second.

MR. LAUBE:

Who was the motion?

P.O. LINDSAY:

Motion by Legislator Viloría•Fisher. Second •• oh, did you make the motion?

LEG. LOSQUADRO:

It doesn't matter, let's just •• I'll be happy to be the second, that's fine.

P.O. LINDSAY:

Okay. You got it? All in favor? Opposed? Abstentions?

MR. LAUBE:

17 (Not Present: Legislator Caracappa).

P.O. LINDSAY:

***No 7 is another CN, to consider and vote on IR 2338•2006 •
Amending the 2006 Capital Budget & Program and appropriating
funds in connection with the restoration of Smith Point County Park.***

MR. NOLAN:

There's a Bond Resolution for this bill.

P.O. LINDSAY:

There's a Bond Resolution •• oh, I'm sorry. So we'll vote on the Bond Resolution first. I need a motion.

LEG. EDDINGTON:

Motion.

P.O. LINDSAY:

Motion by Legislator Eddington.

LEG. BROWNING:

Second.

P.O. LINDSAY:

Seconded by Legislator Browning.

LEG. ALDEN:

On the motion.

P.O. LINDSAY:

On the motion, Legislator Alden.

LEG. ALDEN:

Just real quick; how much and what are they actually doing?

P.O. LINDSAY:

Does somebody have it handy? Go ahead, let Mr. Anderson answer for us.

MR. ANDERSON:

Yeah, the project involves dredging and placing the spoils in two areas along Fire Island, one at Smith Point County Park and another area farther to the east which is undergoing some erosion that we need to address.

LEG. ALDEN:

Where are they dredging?

MR. ANDERSON:

They're dredging out in the ocean and bringing the ••

LEG. ALDEN:

So it's just a pure replenishment project then.

MR. ANDERSON:

Yes.

LEG. ALDEN:

Okay, thanks.

P.O. LINDSAY:

And the reason, Mr. Anderson, for the Certificate of Necessary, is this an emergency situation because of the erosion?

MR. ANDERSON:

Yes, the environmental window; because of the timeframe of the year, we felt it was needed to bring it forward this quickly.

P.O. LINDSAY:

Okay. We have a motion and a second on the bond. Roll call.

(*Roll Called by Mr. Laube • Clerk*)

LEG. EDDINGTON:

Yes.

LEG. BROWNING:

Yes.

LEG. COOPER:

Yes.

LEG. D'AMARO:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Yes.

LEG. MONTANO:

(Not Present).

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

(Not Present).

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

P.O. LINDSAY:

Yes.

MR. LAUBE:

16 (Not Present: Legislators Caracappa & Montano).

P.O. LINDSAY:

Okay, that was No. 8 on your agenda. Number 7, I'm going to take same motion, same second, same vote.

LEG. ALDEN:

Just to point out that ••

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Just to point out that the offset is a Southwest Sewer District project that according to the referendum probably would not be allowed to be used ••

P.O. LINDSAY:

Next January 1.

LEG. ALDEN:

•• after January 1.

P.O. LINDSAY:

Did you call the count there?

MR. LAUBE:

Yes, I did.

P.O. LINDSAY:

Okay. ***No. 9), to consider and vote on IR 2339•2006, a resolution delegating to the County Comptroller the powers to authorize the issuance of not to exceed \$295 million Tax Anticipation Notes of the County of Suffolk, New York, in anticipation of the collection of taxes levied or to be levied for the Fiscal Year commencing January 1, 2007.*** I'll make a motion.

LEG. D'AMARO:

Second.

P.O. LINDSAY:

Second by Legislator D'Amaro. Any discussion? All in favor? Opposed?

MR. NOLAN:

You need to do a roll call.

P.O. LINDSAY:

Oh, roll call; right, I'm sorry. Roll call.

(*Roll Called by Mr. Laube • Clerk*)

P.O. LINDSAY:

Yes.

LEG. D'AMARO:

Yes.

LEG. COOPER:

Yes.

LEG. STERN:

Yes.

LEG. MYSTAL:

Yes.

LEG. HORSLEY:

Yes.

LEG. NOWICK:

Yes.

LEG. KENNEDY:

Yes.

LEG. BARRAGA:

Yes.

LEG. ALDEN:

Abstain.

LEG. MONTANO:

Yes.

LEG. EDDINGTON:

Yes.

LEG. LOSQUADRO:

Yes.

LEG. CARACAPPA:

(Not Present).

LEG. BROWNING:

Yes.

LEG. SCHNEIDERMAN:

Yes.

LEG. ROMAINE:

Yes.

D.P.O. VILORIA • FISHER:

Yes.

MR. LAUBE:

16 (Abstention: Legislator Alden • Not Present: Legislator Caracappa

P.O. LINDSAY:

Okay. I'm going to take 10, 11, 12, 13, 14 and 15 all in one group and that's to waive the rules and to lay on the table the following late starters; 2340 is assigned to Public Works, 2341 to Ways and Means; 2342 to EPA; 2343 to Ways and Means; 2344 to Ways and Means; 2345 to Ways and Means. Do I have a second to that motion?

LEG. MONTANO:

Yes, second.

P.O. LINDSAY:

Second by Legislator Montano. All in favor? Opposed? Abstentions?

MR. LAUBE:

17 (Not Present: Legislator Caracappa).

P.O. LINDSAY:

And that brings us to ***Item 16, to consider and vote on Procedural Resolution No. 9, authorizing additional representation in connection with MTBE litigation.*** I will make a motion on the Procedural Motion for the purpose of discussion. Do I have a second?

LEG. SCHNEIDERMAN:

Second.

LEG. LOSQUADRO:

Second for purposes of discussion.

P.O. LINDSAY:

Second by Legislator Losquadro, and I'm going to ask Counsel to please explain.

MR. NOLAN:

When the Legislature authorized this litigation back in 2001 we hired { Whites & Luxenberg}, they've since brought on a co•counsel, { Barren & Budd} . They've asked that we •• that I and the Presiding Officer executed a letter agreement, allow them to split their share of the fee which is a contingency fee if we succeed on the litigation. I didn't feel comfortable doing so without authorization from the County Legislature, thus this resolution allowing us to go ahead with that.

P.O. LINDSAY:

Legislator Alden.

LEG. ALDEN:

Are these the guys from Texas?

MR. NOLAN:

These are a Texas firm, yes.

LEG. ALDEN:

Okay. So originally they were hired as like an expert and they were going to be paid out of Whites & Luxenberg's portion anyway.

MR. NOLAN:

And they will still be.

LEG. ALDEN:

Okay.

MR. NOLAN:

But before I execute an agreement with them, I wanted to have your imprimatur.

P.O. LINDSAY:

Okay? Okay, we have a motion and a second on Procedural Motion No. 9. All in favor? Opposed? Abstentions?

MR. LAUBE:

17 (Not Present: Legislator Caracappa).

P.O. LINDSAY:

Before I make a motion to adjourn.

LEG. NOWICK:

Motion.

P.O. LINDSAY:

I would like to thank everybody for their efforts today in a very contentious atmosphere. I'd also like to thank Budget Review and our Counsel's Office for putting in many, many hours on the budget process, including yesterday, they had me on the phone, they were down here yesterday trying to put all the numbers together. So I just want to thank them. And with that, I'll entertain a motion to adjourn.

LEG. MYSTAL:

So moved.

P.O. LINDSAY:

Second. All in favor? Opposed? Abstentions?

MR. LAUBE:

17 (Not present: Legislator Caracappa).

[THE MEETING WAS ADJOURNED AT 5:10 PM]